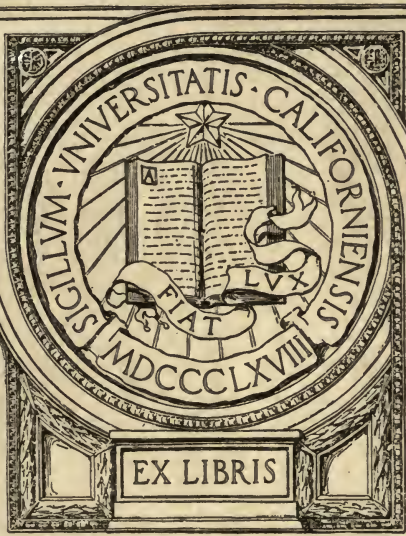


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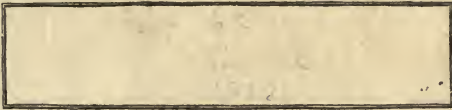


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U.S. Laws, statutes, &c.
AN ACT,

ESTABLISHING

RULES and ARTICLES

FOR THE

Government of the Armies

OF THE

UNITED STATES ;

WITH THE

Regulations of the War Department

RESPECTING THE SAME,

TO WHICH ARE ADDED,

The several Laws relative to the **ARMY**; the **MILITIA** when in actual service; **VOLUNTEERS**; **RANGERS**; **ORDNANCE DEPARTMENT**, and the **QUARTER MASTER'S** and **COMMISSARY GENERAL'S** Departments.

ALBANY:

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1812.

Index to the Laws, &c. A2 1812

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RULES AND ARTICLES OF WAR, &c.

AN ACT,

*For establishing Rules and Articles for the Government
of the Armies of the United States.*

Sec. 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, the following shall be the rules and articles by which the armies of the United States shall be governed.

ART. 1. Every officer now in the army of the United States, shall, in six months from the passing of this act, and every officer who shall hereafter be appointed, shall, before he enters on the duties of his office, subscribe these rules and regulations.

ART. 2. It is earnestly recommended to all officers and soldiers diligently to attend divine service; and all officers who shall behave indecently, or irreverently at any place of divine worship, shall, if commissioned officers, be brought before a general court martial, there to be publicly and severely reprimanded by the President; if non-commissioned officers or soldiers, every person so offending shall, for his first offence, forfeit *one sixth of a dollar*, to be deducted out of his next pay; for the second offence, he shall not only forfeit a like sum, but be confined twenty-four hours; and for every like offence shall suffer and pay in like manner; which money, so forfeited, shall be applied by the captain or senior officer of the troop or company, to the use of the sick soldiers of the company or troop to which the offender belongs.

ART. 3. Any non-commissioned officer or soldier

who shall use any profane oath or execration shall incur the penalties expressed in the foregoing article ; and a commissioned officer shall forfeit and pay for each and every such offence one dollar, to be applied as in the preceding article.

ART. 4. Every chaplain commissioned in the army or armies of the United States, who shall absent himself from the duties assigned him (except in cases of sickness or leave of absence) shall, on conviction thereof before a court martial, be fined not exceeding one month's pay, besides the loss of his pay during his absence ; or be discharged, as the said court martial shall judge proper.

ART. 5. Any officer or soldier who shall use contemptuous or disrespectful words against the President of the United States, against the Vice-President thereof, against the congress of the United States, or against the chief magistrate or legislature of any of the United States in which he may be quartered, if a commissioned officer, shall be cashiered, or otherwise punished as a court martial shall direct, if a non-commissioned officer or soldier, he shall suffer such punishment as shall be inflicted on him by the sentence of a court martial.

ART. 6. Any officer or soldier who shall behave himself with contempt or disrespect towards his commanding officer, shall be punished according to the nature of his offence, by the judgment of a court martial.

ART. 7. Any officer or soldier who shall begin, excite, cause, or join in any mutiny or sedition in any troop or company in the service of the United States, or in any party, post, detachment or guard, shall suffer death, or such other punishment as by a court martial shall be inflicted.

ART. 8. Any officer, non-commissioned officer, or soldier, who, being present at any mutiny or sedition, does not use his utmost endeavour to suppress the same, or coming to the knowledge of any intended

mutiny, does not without delay, give information thereof to his commanding officer, shall be punished by the sentence of a court martial with death or otherwise, according to the nature of his offence.

ART. 9. Any officer or soldier who shall strike his superior officer, or draw or lift up any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatsoever, or shall disobey any lawful command of his superior officer, shall suffer death, or such other punishment as shall, according to the nature of his offence, be inflicted upon him by the sentence of a court martial.

ART. 10. Every non-commissioned officer or soldier, who shall enlist himself in the service of the United States, shall, at the time of his so enlisting, or within six days afterwards, have the articles for the government of the armies of the United States, read to him, and shall, by the officer who enlisted him, or by the commanding officer of the troop or company into which he was enlisted, be taken before the next justice of the peace, or chief magistrate of any city or town corporate, not being an officer of the army, or where recourse cannot be had to the civil magistrate, before the judge advocate, and in his presence, shall take the following oath or affirmation: "I, A. B. do solemnly swear or affirm, (as the case may be) that I will bear true allegiance to the United States of America, and that I will serve them honestly and faithfully against all their enemies, or opposers, whatsoever, and observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles for the government of the armies of the United States." Which justice, magistrate, or judge advocate is to give the officer a certificate, signifying that the man enlisted, did take the said oath or affirmation.

ART. 11. After a non-commissioned officer or soldier, shall have been duly enlisted and sworn, he shall not be dismissed the service without a discharge in

writing; and no discharge granted to him shall be sufficient, which is not signed by a field officer of the regiment to which he belongs, or commanding officer, where no field officer of the regiment is present; and no discharge shall be given to a non-commissioned officer or soldier, before his term of service has expired, but by order of the President, the secretary of war, the commanding officer of a department, or the sentence of a general court martial; nor shall a commissioned officer be discharged the service, but by order of the President of the United States, or by sentence of a general court martial.

ART. 12. Every colonel, or other officer commanding a regiment, troop, or company, and actually quartered with it, may give furloughs to non-commissioned officers or soldiers, in such numbers, and for so long a time as he shall judge to be most consistent with the good of the service; and a captain or other inferior officer commanding a troop or company, or in any garrison, fort or barrack of the United States, (his field officer being absent,) may give furloughs to non-commissioned officers or soldiers, for a time not exceeding twenty days in six months, but not to more than two persons to be absent at the same time, excepting some extraordinary occasion should require it.

ART. 13. At every muster, the commanding officer of each regiment, troop, or company there present, shall give to the commissary of musters, or other officer who musters the said regiment, troop, or company, certificates signed by himself, signifying how long such officers, as shall not appear at the said muster, have been absent, and the reason of their absence. In like manner, the commanding officer of every troop, or company, shall give certificates, signifying the reasons of the absence of the non-commissioned officers and private soldiers, which reasons, and time of absence, shall be inserted in the muster-rolls opposite the name of the respective absent officers and soldiers. The certificates shall,

together with the muster-rolls, be remitted by the commissary of musters, or other officer mustering, to the department of war as speedily as the distance of the place will admit.

ART. 14. Every officer who shall be convicted, before a general court martial, of having signed a false certificate, relating to the absence of either officer or private soldier, or relative to his or their pay, shall be cashiered.

ART. 15. Every officer who shall knowingly make a false muster of man or horse, and every officer or commissary of musters, who shall willingly sign, direct or allow the signing of muster-rolls, wherein such false muster is contained, shall, upon proof made thereof by two witnesses, before a general court martial, be cashiered, and shall be thereby utterly disabled to have or hold any office or employment in the service of the United States.

ART. 16. Any commissary of musters or other officer, who shall be convicted of having taken money or other thing, by way of gratification, on the mustering any regiment, troop, or company, or on signing muster-rolls, shall be displaced from his office, and shall be thereby utterly disabled to have or hold any office or employment in the service of the United States.

ART. 17. Any officer who shall presume to muster a person as a soldier, who is not a soldier, shall be deemed guilty of having made a false muster, and shall suffer accordingly.

ART. 18. Every officer who shall knowingly make a false return to the department of war, or to any of his superior officers, authorized to call for such returns, of the state of the regiment, troop, or company, or garrison, under his command; or of the arms, ammunition, clothing, or other stores thereunto belonging, shall, on conviction thereof before a court martial, be cashiered.

ART. 19. The commanding officer of every regi-

ment, troop, or independent company, or garrison of the United States, shall, in the beginning of every month, remit through the proper channels, to the department of war, an exact return of the regiment, troop, independent company, or garrison, under his command, specifying the names of officers then absent from their posts, and the reasons for, and the time of their absence. And any officer who shall be convicted of having, through neglect or design, omitted sending such returns, shall be punished according to the nature of his crime, by the judgment of a general court martial.

ART. 20. All officers and soldiers, who have received pay, or have been duly enlisted in the service of the United States, and shall be convicted of having deserted the same, shall suffer death, or such other punishment as by sentence of a court martial shall be inflicted.

ART. 21. Any non-commissioned officer or soldier, who shall, without leave from his commanding officer, absent himself from his troop, company, or detachment, shall, upon being convicted thereof, be punished according to the nature of his offence, at the discretion of a court martial.

ART. 22. No non-commissioned officer or soldier, shall enlist himself in any other regiment, troop, or company, without a regular discharge from the regiment, troop, or company, in which he last served, on the penalty of being reputed a deserter, and suffering accordingly. And in case any officer shall knowingly receive and entertain such non-commissioned officer or soldier, or shall not, after his being discovered to be a deserter, immediately confine him, and give notice thereof to the corps in which he last served, the said officer shall by a court martial be cashiered.

ART. 23. Any officer or soldier, who shall be convicted of having advised or persuaded any other officer or soldier, to desert the service of the United States, shall suffer death, or such other punishment

as shall be inflicted upon him by the sentence of a court martial.

ART. 24. No officer or soldier shall use any reproachful or provoking speeches or gestures to another, upon pain, if an officer, of being put in arrest ; if a soldier, confined, and of asking pardon of the party offended, in the presence of his commanding officer.

ART. 25. No officer or soldier, shall send a challenge to another officer or soldier, to fight a duel, or accept a challenge, if sent, upon pain, if a commissioned officer, of being cashiered ; if a non-commissioned officer or soldier, of suffering corporal punishment at the discretion of a court martial.

ART. 26. If any commissioned or non-commissioned officer commanding a guard, shall knowingly or willingly suffer any person whatsoever to go forth to fight a duel, he shall be punished as a challenger ; and all seconds, promoters and carriers of challenges, in order to duels, shall be deemed principals, and be punished accordingly. And it shall be the duty of every officer commanding an army, regiment, company, post or detachment, who is knowing to a challenge being given, or accepted, by any officer, non-commissioned officer, or soldier, under his command, or has reason to believe the same to be the case, immediately to arrest and bring to trial such offenders.

ART. 27. All officers, of what condition soever, have power to part and quell all quarrels, frays, and disorders, though the persons concerned should belong to another regiment, troop, or company : and either to order officers into arrest, or non-commissioned officers or soldiers into confinement, until their proper superior officers shall be acquainted therewith ; and whosoever shall refuse to obey such officer (though of an inferior rank) or shall draw his sword upon him, shall be punished at the discretion of a general court martial.

ART. 28. Any officer or soldier, who shall upbraid another for refusing a challenge, shall himself be punished as a challenger; and all officers and soldiers are hereby discharged from any disgrace or opinion of disadvantage, which might arise from their having refused to accept of challenges, as they will only have acted in obedience to the laws, and done their duty as good soldiers, who subject themselves to discipline.

ART. 29. No suttler shall be permitted to sell any kind of liquors or victuals, or to keep their houses or shops open for the entertainment of soldiers, after nine at night, or before the beating of the reveilles, or upon Sundays. during divine service or sermon, on the penalty of being dismissed from all future suttling.

ART. 30. All officers commanding in the field, forts, barracks, or garrisons of the United States, are hereby required to see that the persons permitted to suttle, shall supply the soldiers with good and wholesome provisions, or other articles, at a reasonable price, as they shall be answerable for their neglect.

ART. 31. No officer commanding in any of the garrisons, forts or barracks of the United States, shall exact exorbitant prices for houses or stalls let out to suttlers, or connive at the like exactions in others; nor by his own authority, and for his private advantage, lay any duty or imposition upon, or be interested in the sale of any victuals, liquors, or other necessities of life, brought into the garrison, fort or barracks, for the use of the soldiers, on the penalty of being discharged from the service.

ART. 32. Every officer commanding in quarters, garrisons, or on the march, shall keep good order, and to the utmost of his power, redress all abuses or disorders, which may be committed by any officer or soldier under his command; if upon complaint made to him of officers or soldiers beating, or otherwise ill treating any person, of disturbing fairs or markets, or

of committing any kinds of riots, to the disquieting of the citizens of the United States, he, the said commander, who shall refuse or omit to see justice done to the offender or offenders, and reparation made to the party or parties injured, as far as part of the offender's pay shall enable him or them, shall upon proof thereof, be cashiered or punished, as a general court martial shall direct.

ART. 33. When any commissioned officer or soldier, shall be accused of a capital crime, or of having used violence, or committed any offence against the persons or property of any citizen of any of the United States, such as is punishable by the known laws of the land, the commanding officer, and officers of every regiment, troop or company, to which the person or persons, so accused, shall belong, are hereby required, upon application duly made by, or in behalf of the party or parties injured, to use their utmost endeavors to deliver over such accused person, or persons to the civil magistrate, and likewise to be aiding and assisting to the officers of justice in apprehending and securing the person or persons so accused, in order to bring him or them to trial. If any commanding officer or officers, shall wilfully neglect, or shall refuse, upon the application aforesaid, to deliver over such accused person or persons, to the civil magistrates, or to be aiding and assisting to the officers of justice in apprehending such person, or persons, the officer, or officers, so offending, shall be cashiered.

ART. 34. If any officer shall think himself wronged by his colonel, or the commanding officer of the regiment, and shall, upon due application being made to him, be refused redress, he may complain to the general, commanding in the state or territory where such regiment shall be stationed, in order to obtain justice ; who is hereby required to examine into the said complaint, and take proper measures for redressing the wrong complained of, and transmit as soon as possible, to the department of war, a true state of such complaint, with the proceedings had thereon.

ART. 35. If any inferior officer or soldier, shall think himself wronged by his captain, or other officer, he is to complain thereof to the commanding officer of the regiment, who is hereby required to summon a regimental court martial, for the doing justice to the complainant ; from which regimental court martial, either party may, if he thinks himself still aggrieved, appeal to a general court martial. But if, upon a second hearing, the appeal shall appear vexatious and groundless, the person, so appealing, shall be punished at the discretion of the said court martial.

ART. 36. Any commissioned officer, store keeper, or commissary, who shall be convicted at a general court martial, of having sold, without a proper order for that purpose, embezzled, misapplied, or wilfully, or through neglect, suffered any of the provisions, forage, arms, clothing, ammunition, or other military stores belonging to the United States, to be spoiled, or damaged, shall, at his own expense, make good the loss or damage, and shall, moreover, forfeit all his pay, and be dismissed from the service.

ART. 37. Any non-commissioned officer or soldier, who shall be convicted, at a regimental court martial, of having sold, or designedly, or through neglect, wasted the ammunition delivered out to him, to be employed in the service of the United States, shall be punished at the discretion of such court.

ART. 38. Every non-commissioned officer or soldier, who shall be convicted before a court martial, of having sold, lost, or spoiled, through neglect, his horse, arms, clothes, or accoutrements, shall be put under such weekly stoppages (not exceeding the half of his pay) as such court martial shall judge sufficient, for repairing the loss or damage ; and shall suffer confinement, or such other corporal punishment as his crime shall deserve.

ART. 39. Every officer, who shall be convicted before a court martial, of having embezzled, or misapplied any money with which he may have been en-

trusted, for the payment of the men under his command, or for enlisting men into the service, or for other purposes, if a commissioned officer, shall be cashiered, and compelled to refund the money; if a non-commissioned officer, shall be reduced to the ranks, be put under stoppages until the money be made good, and suffer such corporal punishment as such court martial shall direct.

ART. 40. Every captain of a troop, or company, is charged with the arms, accoutrements, ammunition, clothing or other warlike stores belonging to the troop, or company under his command, which he is to be accountable for to his colonel, in case of their being lost, spoiled, or damaged, not by unavoidable accidents, or on actual service.

ART. 41. All non-commissioned officers and soldiers, who shall be found one mile from the camp, without leave, in writing, from their commanding officer, shall suffer such punishment as shall be inflicted upon them by the sentence of a court martial.

ART. 42. No officer or soldier shall lie out of his quarters, garrison, or camp, without leave from his superior officer, upon penalty of being punished according to the nature of his offence, by the sentence of a court martial.

ART. 43. Every non-commissioned officer and soldier shall retire to his quarters or tent, at the beating of the retreat; in default of which he shall be punished according to the nature of his offence.

ART. 44. No officer, non-commissioned officer or soldier, shall fail in repairing, at the time fixed, to the place of parade, of exercise or other rendezvous, appointed by his commanding officer, if not prevented by sickness, or some other evident necessity, or shall go from the said place of rendezvous, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on the penalty of being punished according to the nature of his offence by the sentence of a court martial.

ART. 45. Any commissioned officer, who shall be found drunk on his guard, party, or other duty, shall be cashiered. Any non-commissioned officer or soldier so offending, shall suffer such corporal punishment as shall be inflicted by the sentence of a court martial.

ART. 46. Any sentinel who shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, shall suffer death, or such other punishment as shall be inflicted by the sentence of a court martial.

ART. 47. No soldier belonging to any regiment, troop, or company, shall hire another to do his duty for him, or be excused from duty, but in cases of sickness, disability, or leave of absence ; and every such soldier found guilty of hiring his duty, as also the party so hired to do another's duty, shall be punished at the discretion of a regimental court martial.

ART. 48. And every non-commissioned officer conniving at such hiring of duty aforesaid, shall be reduced ; and every commissioned officer, knowing and allowing such ill practices in the service, shall be punished by the judgment of a general court martial.

ART. 49. Any officer belonging to the service of the United States, who, by discharging of fire arms, drawing of swords, beating of drums, or by any other means whatsoever, shall occasion false alarms, in camp, garrison, or quarters, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

ART. 50. Any officer or soldier, who shall, without urgent necessity, or without the leave of his superior officer, quit his guard, platoon, or division, shall be punished according to the nature of his offence, by the sentence of a court martial.

ART. 51. No officer or soldier shall do violence to any person who brings provisions or other necessities to the camp, garrison or quarters, of the forces of the United States, employed in any parts out of the said states, upon pain of death, or such other punishment as a court martial shall direct.

ART. 52. Any officer or soldier, who shall misbehave himself before the enemy, run away, or shamefully abandon any fort, post, or guard, which he or they may be commanded to defend, or speak words inducing others to do the like ; or shall cast away his arms and ammunition, or who shall quit his post or colours to plunder and pillage ; every such offender being duly convicted thereof, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

ART. 53. Any person belonging to the armies of the United States, who shall make known the watch-word to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole or watch-word, different from what he received, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

ART. 54. All officers and soldiers are to behave themselves orderly in quarters, and on their march ; and whosoever shall commit any waste, or spoil, either in walks of trees, parks, warrens, fish ponds, houses, or gardens, cornfields, enclosures or meadows, or shall maliciously destroy any property whatsoever, belonging to the inhabitants of the United States, unless by order of the then commander in chief of the armies of the said states, shall (besides such penalties as they are liable to by law,) be punished according to the nature and degree of the offence, by the judgment of a regimental or general court martial.

ART. 55. Whosoever, belonging to the armies of the United States, employed in foreign parts, shall force a safeguard, shall suffer death.

ART. 56. Whosoever shall relieve the enemy with money, victuals, or ammunition, or shall knowingly harbor or protect an enemy, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

ART. 57. Whosoever shall be convicted of holding

correspondence with, or giving intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

ART. 58. All public stores taken in the enemy's camp, towns, forts, or magazines, whether of artillery, ammunition, clothing, forage or provisions, shall be secured for the service of the United States; for the neglect of which the commanding officer is to be answerable.

ART. 59. If any commander of any garrison, fortress or post, shall be compelled, by the officers and soldiers under his command, to give up to the enemy, or to abandon it; the commissioned officers, non-commissioned officers, or soldiers, who shall be convicted of having so offended, shall suffer death, or such other punishment as shall be inflicted upon them by the sentence of a court martial.

ART. 60. All suttlers and retainers to the camp, and all persons whatsoever, serving with the armies of the United States, in the field, though not enlisted soldiers, are to be subject to orders, according to the rules and discipline of war.

ART. 61. Officers having brevetts, or commissions, of a prior date to those of the regiment in which they serve, may take place in courts martial and on detachments, when composed of different corps, according to the ranks given them in their brevetts, or dates of their former commissions; but in the regiment, troop, or company, to which such officers belong, they shall do duty, and take rank, both in courts martial and on detachments, which shall be composed only of their own corps, according to the commissions by which they are mustered in the said corps.

ART. 62. If upon marches, guards, or in quarters, different corps of the army shall happen to join, or do duty together, the officer highest in rank of the line of the army, marine corps, or militia, by commission there, on duty, or in quarters, shall command the

whole, and give orders for what is needful to the service, unless otherwise specially directed by the President of the United States, according to the nature of the case.

ART. 63. The functions of the engineers being generally confined to the most elevated branch of military science, they are not to assume, nor are they subject to be ordered on any duty beyond the line of their immediate profession, except by the special order of the President of the United States; but they are to receive every mark of respect, to which their rank in the army may entitle them respectively, and are liable to be transferred, at the discretion of the President, from one corps to another, regard being paid to rank.

ART. 64. General courts martial may consist of any number of commissioned officers from five to thirteen inclusively, but they shall not consist of less than thirteen, where that number can be convened, without manifest injury to the service.

ART. 65. Any general officer commanding an army, or colonel commanding a separate department, may appoint general courts martial whenever necessary. But no sentence of a court martial shall be carried into execution until after the whole proceedings shall have been laid before the officer ordering the same, or the officer commanding the troops for the time being; neither shall any sentence of a general court martial, in time of peace, extending to the loss of life, or the dismissal of a commissioned officer, or which shall, either in time of peace or war, respecting a general officer, be carried into execution, until after the whole proceedings shall have been transmitted to the secretary of war, to be laid before the President of the United States, for his confirmation or disapproval and orders in the case. All other sentences may be confirmed and executed by the officer ordering the court to assemble, or the commanding officer for the time being, as the case may be.

ART. 66. Every officer commanding a regiment, or corps, may appoint, for his own regiment or corps, courts martial, to consist of three commissioned officers, for the trial and punishment of offences not capital, and decide upon their sentences. For the same purpose all officers, commanding any of the garrisons, forts, barracks, or other places where the troops consist of different corps, may assemble courts martial, to consist of three commissioned officers, and decide upon their sentences.

ART. 67. No garrison or regimental court martial shall have the power to try capital cases, or commissioned officers; neither shall they inflict a fine exceeding one month's pay, nor imprison, nor put to hard labor, any non-commissioned officer or soldier, for a longer time than one month.

ART. 68. Whenever it may be found convenient and necessary to the public service, the officers of the marine shall be associated with the officers of the land forces, for the purpose of holding courts martial and trying offenders belonging to either; and in such cases the orders of the senior officers of either corps who may be present and duly authorized, shall be received and obeyed.

ART. 69. The judge advocate or some person deputed by him, or by the general, or officer commanding the army, detachment, or garrison, shall prosecute in the name of the United States, but shall so far consider himself as counsel for the prisoner, after the said prisoner shall have made his plea, as to object to any leading question to any of the witnesses, or any question to the prisoner, the answer to which might tend to criminate himself; and administer to each member of the court, before they proceed upon any trial, the following oath, which shall also be taken by all members of the regimental and garrison courts martial.

“ You, A. B. do swear, that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of Ameri-

ca and the prisoner to be tried, and that you will duly administer justice, according to the provisions of "an act establishing rules and articles for the government of the armies of the United States," without partiality, favor or affection; and if any doubt shall arise, not explained by said articles, according to your conscience, the best of your understanding, and the custom of war, in like cases; and you do further swear, that you will not divulge the sentence of the court until it shall be published by the proper authority; neither will you disclose or discover the vote or opinion of any particular member of the court martial; unless required to give evidence thereof as a witness, by a court of justice, in a due course of law. *So help you God.*"

And as soon as the said oath shall have been administered to the respective members, the president of the court shall administer to the judge advocate, or person officiating as such, an oath in the following words:

"You, A. B. do swear, that you will not disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof as a witness, by a court of justice, in due course of law. Nor divulge the sentence of the court to any but the proper authority, until it shall be duly disclosed by the same. *So help you God.*"

ART. 70. When any prisoner arraigned before a general court martial shall, from obstinate and deliberate design, stand mute or answer foreign to the purpose, the court may proceed to trial and judgment as if the prisoner had regularly pleaded not guilty.

ART. 71. When a member shall be challenged by a prisoner, he must state his cause of challenge, of which the court shall, after due deliberation, determine the relevancy or validity, and decide accordingly; and no challenge to more than one member at a time shall be received by the court.

ART. 72. All the members of a court martial are to behave with decency and calmness ; and in giving their votes, are to begin with the youngest in commission.

ART. 73. All persons who give evidence before a court martial, are to be examined on oath or affirmation in the following form :

“ You swear, or affirm, (as the case may be) the evidence you shall give in the cause now in hearing, shall be the truth, the whole truth, and nothing but the truth. *So help you God.*”

ART. 74. On the trials of cases not capital, before courts martial, the deposition of witnesses not in the line or staff of the army, may be taken before some justice of the peace, and read in evidence ; provided, the prosecutor and person accused are present at the taking the same, or are duly notified thereof.

ART. 75. No officer shall be tried but by a general court martial, nor by officers of inferior rank, if it can be avoided. Nor shall any proceedings or trials be carried on excepting between the hours of eight in the morning and three in the afternoon, excepting in cases which, in the opinion of the officer appointing the court martial, require immediate example.

ART. 76. No person whatsoever shall use any menacing words, signs, or gestures, in presence of a court martial, or shall cause any disorder or riot, or disturb their proceedings, on the penalty of being punished at the discretion of the said court martial.

ART. 77. Whenever any officer shall be charged with a crime, he shall be arrested and confined in his barracks, quarters or tent, and deprived of his sword, by the commanding officer. And any officer who shall leave his confinement before he shall be set at liberty by his commanding officer, or by a superior officer, shall be cashiered.

ART. 78. Non-commissioned officers and soldiers, charged with crimes, shall be confined until tried by a court martial, or released by proper authority.

ART. 79. No officer or soldier who shall be put in arrest, shall continue in confinement more than eight days, or until such time as a court martial can be assembled.

ART. 80. No officer commanding a guard, or provost martial, shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States; provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime with which the said prisoner is charged.

ART. 81. No officer commanding a guard, or provost martial, shall presume to release any person committed to his charge, without proper authority for so doing, nor shall he suffer any person to escape, on the penalty of being punished for it by the sentence of a court martial.

ART. 82. Every officer or provost martial, to whose charge prisoners shall be committed, shall within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, make report in writing, to the commanding officer, of their names, their crimes, and the names of the officers who committed them, on the penalty of being punished for disobedience or neglect, at the discretion of a court martial.

ART. 83. Any commissioned officer convicted before a general court martial of conduct unbecoming an officer and a gentleman, shall be dismissed the service.

ART. 84. In cases where a court martial may think it proper to sentence a commissioned officer to be suspended from command, they shall have power also to suspend his pay and emoluments from the same time according to the nature and heinousness of the offence.

ART. 85. In all cases where a commissioned officer is cashiered for cowardice or fraud, it shall be added in the sentence, that the crime, name, and place

of abode, and punishment of the delinquent, be published in the newspapers, in and about the camp, and of the particular state from which the offender came, or where he usually resides, after which it shall be deemed scandalous for an officer to associate with him.

ART. 86. The commanding officer of any post or detachment, in which there shall not be a number of officers adequate to form a general court martial, shall in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall order a court to be assembled at the nearest post or detachment, and the party accused with necessary witnesses, to be transported to the place where the said court shall be assembled.

ART. 87. No person shall be sentenced to suffer death but by the concurrence of two thirds of a general court martial, nor except in the cases herein expressly mentioned ; nor shall more than fifty lashes* be inflicted on any offender, at the discretion of a court martial ; and no officer, non-commissioned officer, soldier, or follower of the army, shall be tried a second time for the same offence.

ART. 88. No person shall be liable to be tried and punished by a general court martial for any offence which shall appear to have been committed more than two years before the issuing of the order for such trial, unless the person, by reason of having absented himself, or some other manifest impediment, shall not have been amenable to justice within that period.

ART. 89. Every officer authorized to order a general court martial, shall have power to pardon or mitigate any punishment ordered by such court, except the sentence of death, or of cashiering an officer ; which, in the cases where he has authority (by article 65) to carry them into execution, he may suspend

* Punishment by stripes or lashes not allowed—see act of congress, May, 16, 1812.

until the pleasure of the President of the United States can be known; which suspension, together with copies of the proceedings of the court martial, the said officer shall immediately transmit to the President for his determination. And the colonel or commanding officer of the regiment or garrison, where any regimental or garrison court martial shall be held, may pardon or mitigate any punishment ordered by such court to be inflicted.

ART. 90. Every judge advocate, or person officiating as such, at any general court martial, shall transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court martial, to the secretary of war, which said original proceedings and sentence shall be carefully kept and preserved in the office of the said secretary, to the end that the persons entitled thereto may be enabled, upon application to the said office, to obtain copies thereof.

The party tried by any general court martial, shall upon demand thereof made by himself, or by any person or persons in his behalf, be entitled to a copy of the sentence and proceedings of such court martial.

ART. 91. In cases where the general or commanding officer may order a court of inquiry to examine into the nature of any transaction, accusation or imputation against any officer or soldier, the said court shall consist of one or more officers, not exceeding three, and a judge advocate, or other suitable person as a recorder, to reduce the proceedings and evidence to writing, all of whom shall be sworn to the faithful performance of their duty. This court shall have the same power to summon witnesses as a court martial, and to examine them on oath. But they shall not give their opinion on the merits of the case, excepting they shall be thereto specially required. The parties accused shall also be permitted to cross examine, and interrogate the witnesses, so as to investigate fully the circumstances in question.

ART. 92. The proceedings of a court of inquiry must be authenticated by the signature of the recorder and the president, and delivered to the commanding officer ; and the said proceedings may be admitted as evidence by a court martial, in cases not capital, or extending to the dismissal of an officer, provided that the circumstances are such, that oral testimony cannot be obtained. But as courts of inquiry may be perverted to dishonorable purposes, and may be considered as engines of destruction to military merit, in the hands of weak and envious commandants, they are hereby prohibited, unless directed by the President of the United States, or demanded by the accused.

ART. 93. The judge advocate, or recorder, shall administer to the members the following oath :

" You shall well and truly examine and inquire, according to your evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward. *So help you God.*"

After which the president shall administer to the judge advocate, or recorder, the following oath :

" You, A. B. do swear, that you will, according to your best abilities, accurately and impartially record the proceedings of the court, and the evidence to be given in the case in hearing. *So help you God.*"

The witnesses shall take the same oath as witnesses sworn before a court martial.

ART. 94. When any commissioned officer shall die, or be killed in the service of the United States, the major of the regiment, or the officer doing the major's duty in his absence, or in any post or garrison the second officer in command, or the assistant military agent, shall immediately secure all his effects or equipage then in camp or quarters, and shall make an inventory thereof, and forthwith transmit the same to the office of the department of war, to the end, that his executors or administrators may receive the same.

ART. 95. When any non-commissioned officer, or soldier, shall die, or be killed in the service of the United States, the then commanding officer of the troop, or company, shall, in the presence of two other commissioned officers, take an account of what effects he died possessed of, above his arms and accoutrements, and transmit the same to the office of the department of war; which said effects are to be accounted for, and paid to the representatives of such deceased non-commissioned officer, or soldier. And in case any of the officers, so authorized to take care of the effects of deceased officers and soldiers, should before they have accounted to their representatives for the same, have occasion to leave the regiment, or post, by preferment, or otherwise, they shall, before they be permitted to quit the same, deposit in the hands of the commanding officer, or of the assistant military agent, all the effects of such deceased non-commissioned officers and soldiers, in order that the same may be secured for, and paid to their respective representatives.

ART. 96. All officers, conductors, gunners, matrosses, drivers, or other persons whatsoever, receiving pay, or hire, in the service of the artillery or corps of engineers of the United States, shall be governed by the aforesaid rules and articles, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers of the other troops in the service of the United States.

ART. 97. The officers and soldiers of any troops whether militia or others, being mustered and in pay of the United States, shall, at all times, and in all places, when joined, or acting in conjunction with the regular forces of the United States, be governed by these rules and articles of war, and shall be subject to be tried by courts martial in like manner with the officers and soldiers in the regular forces, save only, that such courts martial shall be composed entirely of militia officers.

ART. 98. All officers, serving by commission from the authority of any particular state, shall, on all detachments, courts martial, or other duty, wherein they may be employed in conjunction with the regular forces of the United States, take rank, next after all officers of the like grade in said regular forces, notwithstanding the commissions of such militia or state officers may be elder than the commissions of the officers of the regular forces of the United States.

ART. 99. All crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the foregoing articles of war, are to be taken cognizance of by a general or regimental court martial, according to the nature and degree of the offence, and be punished at their discretion.

ART. 100. The President of the United States, shall have power to prescribe the uniform of the army.

ART. 101. The foregoing articles are to be read and published once in every six months, to every garrison, regiment, troop or company, mustered or to be mustered in the service of the United States, and are to be duly observed and obeyed, by all officers and soldiers who are or shall be in said service.

SEC. 2. *And be it further enacted,* That in time of war, all persons not citizens of, or owing allegiance to the United States of America, who shall be found lurking as spies, in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death, according to the law and usage of nations, by sentence of a general court martial.

SEC. 3. *And be it further enacted,* That the rules and regulations, by which the armies of the United States have heretofore been governed, and the resolves of Congress thereunto annexed, and respecting the same, shall, henceforth, be void and of no ef-

fect, except so far as may relate to any transactions under them, prior to the promulgation of this act, at the several posts and garrisons respectively, occupied by any part of the army of the United States.

NATHL. MACON,
Speaker of the House of Representatives.

S. SMITH,
President of the Senate, pro tempore.

April 10, 1806.

APPROVED,

TH: JEFFERSON.

REGULATIONS

Of the War Department, to be observed in the allowance of barracks or quarters to the officers of the army.

To a major general, four rooms and a kitchen.

To a brigadier general, three rooms and a kitchen.

To an aid de camp, one room.

To the adjutant general and inspector general, each, three rooms and a kitchen.

To the quarter master general, three rooms and a kitchen; and for his officers and clerks, two rooms.

To each field officer, two rooms and a kitchen.

To a hospital surgeon, the same.

To the adjutant and inspector, in addition to his allowance as a field officer, one room.

To each captain, one room; when commanding a separate post, in addition, a kitchen.

To a surgeon, one room.

To two subalterns, one room.

To a surgeon's mate, the same as a subaltern.

To a subaltern, when commanding a separate post, in addition, a kitchen.

To every mess of eight officers, one room and a kitchen.

The officer highest in rank, to have the first choice of quarters.

The foregoing regulations to apply respectively to all corps, of whatever denomination, belonging to the army of the United States.

Regulations to be observed in the delivery of fuel to garrisons on the sea board, and recruiting parties, south of Virginia and Kentucky, from the first day of October, to the first day of April, in every year.

To a major general, three cords per month.

To a brigadier general, two cords and a half per month.

To the adjutant general, and inspector general, each, two cords and a half per month.

To the quarter master general, two cords and a half per month.

To the adjutant and inspector, two cords per month.

To each field officer, one and a half cord ; and when commanding a garrison, in addition, half a cord.

To each captain, one cord ; and when commanding a garrison, in addition, half a cord.

To each subaltern, one cord ; and when commanding a garrison, in addition, half a cord.

To each surgeon, one cord.

To a surgeon's mate, one cord.

To each cadet, half a cord.

To every officer commanding a recruiting party, one cord of wood per month ; but no other allowance of fuel as an officer in the line.

To every room occupied as barracks by eight non-commissioned officers, musicians and privates, one cord per month.

To a garrison barrack guard, one cord per month.

To the sick in hospital the allowance of wood will be regulated by the commanding officer and surgeon.

Regulations for delivery of fuel north of North-Carolina and Tennessee, from the first day of October, to the first day of April, in each year.

To a major general, five cords per month.

To a brigadier general, four cords per month.

To the quarter master general, four cords per month.

To the inspector general, four cords.

To the adjutant general, four cords.

To each field officer, two cords ; and when commanding a garrison, in addition, one cord.

To the adjutant and inspector, three cords.

To each captain, one cord and a half and when commanding a garrison, in addition, one cord.

To each subaltern, one cord and one third ; when commanding a garrison, in addition, one cord.

To every surgeon, one cord and a half.

To each surgeon's mate, one cord and one third.

To every officer commanding a recruiting party, one and a half cord per month ; but no other allowance of fuel as an officer in the line.

To every room occupied as barracks by eight non-commissioned officers, musicians and privates, one cord and a half per month.

To a garrison barrack guard, one cord per month ; and if the weather should be very severe it may be augmented at the discretion of the commanding officer, but not beyond one cord in addition.

To the sick in hospital, the allowance of wood will be regulated by the commanding officer and surgeon.

Whenever coal can be procured, the officer may, at his option, receive coal in proportion to the cost of the wood, in lieu thereof.

To officers and soldiers half of the aforesaid allowances of fuel, from the 1st day of April to the 1st day of October, in every year.

No compensation in money to be made in lieu of allowances of fuel, nor is any compensation to be received by or paid to officers in lieu of quarters or barracks.

Distribution of straw.

One truss of straw, weighing thirty-six pounds, is allowed for each pallias for two men. At the expira-

tion of sixteen days, each palliass is to be refreshed with eight pounds. At the expiration of thirty-two days the whole straw is to be removed, and a fresh bedding of one truss to be furnished ; and so on every succeeding period of sixteen and thirty-two days.

The same quantity of straw is allowed for servants, or batmen, not soldiers, or for washer-women, attached to each company, in the proportion of one woman to every seventeen men, non-commissioned officers and privates.

The straw is to be changed for the sick in hospital as often as may be deemed necessary ; this necessity to be determined by the surgeon, or surgeon's mate in the absence of the surgeon.

There shall be allowed to every two men, when in barracks, one bed sack, to be returned into store on the men being ordered away.

Requisitions for fuel and straw.

Requisitions for wood or straw must state the number and rank of the officers, the number of the non-commissioned officers and privates, servants and batmen not soldiers, and of washer-women, for whom demanded, and be certified by the commandant of the garrison, or recruiting party.

No wood or straw shall be drawn for officers, or wood or straw for soldiers whilst on furlough ; or any allowance made to them for the same.

Whenever it shall appear that more wood or straw has been drawn than there were officers, soldiers, servants or batmen not soldiers, and washer-women actually present and entitled thereto, the commanding officer signing such requisition shall be held responsible for the value of the article drawn beyond the quantity allowed by these regulations, and shall have his name, and the circumstances of the case, reported to the secretary of the department of war.

Requisitions thus signed, and the receipts given by the officers to whom the articles are delivered for

consumption, shall be produced as vouchers by the military, or assistant military agent, or quarter master, in the settlement of his accounts.

Regulations respecting certain supplies and objects of special and extra expense.

The military or assistant military agent, or quarter master, where a rendezvous is opened in his vicinity for the recruiting service, shall furnish quarters, transportation forage, fuel, straw, kettles, tin pans and stationary. But when an officer is not within a convenient distance of the agent, above mentioned, the recruiting officer shall supply the rendezvous with quarters, transportation, forage, fuel, straw, kettles, tin pans and stationary; governing himself as to quantity by the regulation on the subject, and taking duplicate receipts of every article of expenditure.

To all horses in actual service, there shall be allowed as forage 14 pounds of hay and 12 quarts of oats, or, in lieu of the oats, 8 quarts of corn.

There shall be allowed one four-horse waggon to each company, or a detachment of 100 recruits, for the conveyance of the officers' baggage and all other baggage of the company or detachment. There shall be allowed to every six men, one common tent, one iron camp kettle, or pot, (of four gallons) and two tin pans; and to each company, four axes and four spades.

As often as any matter which may require any special or extra expense, can wait, without material injury to the service, for a communication to, and the direction of the secretary of war, or the commander of the army, or of a military district, it is not to be undertaken until such communications and directions shall have been had.

The military or assistant military agent, or quarter master, are primarily charged with making the disbursements in the cases above mentioned; when

there is no such officer, the agent of the war department shall do it. All orders for such disbursements, must be definite and in writing, to be transmitted, with the accounts of them, to the accountant of the war department: and all disbursements made in pursuance of these regulations, must be substantiated by such vouchers as shall be prescribed by the said accountant.

The following rates are to govern in the allowances to officers for the transportation of their baggage, when ordered on distant commands:

To a major general,	1250 lbs.
at \$ 2 per 100 lbs. per 100 miles.	
To a brigadier general, adjutant general, inspector general, or quarter master general,	1000
To a colonel,	750
To a hospital surgeon,	750
To a lieutenant colonel,	600
To a major,	500
To a captain,	400
To a surgeon,	400
To a subaltern,	300
To a surgeon's mate,	300
To a cadet,	200

The most direct post-route will regulate the distance, for the amount of transportation, whether performed by land or water, unless public transportation is furnished.

To every officer ordered on general courts martial, or temporary commands, or on other duties on the sea board or in the Atlantic states, there will be allowed him, if he so elect, in lieu of the transportation of his baggage, his stage hire. It must be understood that no delay is to be made on the road. Either receipts from the stage offices, or certificates on honor of the performance of the duty, must be produced.

A further allowance to officers ordered on general courts martial and temporary command, or other duty, of one dollar and twenty-five cents per day to officers who are not entitled to forage, and one dollar per day to such as shall be entitled to forage, agreeably to the twenty-second section of the act fixing the military peace establishment. As a voucher for the number of days an officer did sit on a general court martial, he must produce the certificate of the president, or judge advocate of the court.

Ordinance regulating and ascertaining the quantities of stationary which each officer serving in the army of the United States shall be entitled to receive annually.

To every officer commanding a separate post, the garrison of which shall consist of no more than two companies, twelve quires of writing paper, and one blank book of one quire of paper.

To every officer commanding a separate post, the garrison of which shall consist of more than two, and not more than five companies, twenty-four quires of paper, and a blank book containing two quires of paper.

To a major general, thirty-six quires of paper, and three blank books, each of three quires.

To a brigadier general, twenty-four quires of paper, and two blank books, each of three quires.

To the quarter master general, adjutant general, inspector general, and adjutant and inspector of the army, each, the stationary necessary in their respective departments.

To a colonel eighteen quires of paper, and a blank book of three quires.

To a lieutenant colonel, twelve quires of paper, and a blank book of two quires.

For the use of every military company, whether in garrison or otherwise, twelve quires of paper, and a blank book containing two quires of paper.

For the use of every other commissioned officer in the army of the United States, two quires of letter paper, with a proportionate allowance of ink, quills and wafers.

For the use of the assistant military agent or quarter master, at every separate post, one blank book containing two quires of paper.

For the use of every officer, and garrison, a proportion of other stationary, at the rate of a dozen quills and as many wafers to each quire of paper; and a paper of ink-powder to each six quires.

Regulations respecting extra pay and allowance to soldiers, when ordered on constant labor for a term not less than ten days.

The non-commissioned officers and privates, who may be drawn as artificers to work constantly on fortifications, bridges, barracks, roads, or other public works, for a term not less than ten days, Sundays excepted, shall be allowed, for each day's actual labor, fourteen cents and one gill of spirits each, in addition to their pay and rations.

Other non-commissioned officers and privates, not artificers, who shall be drawn for constant labor on fortifications, roads, bridges, barracks, or other public works, for a term not less than ten days, Sundays excepted, shall be allowed for each day's actual labor, ten cents and one gill of spirits each, in addition to their pay and rations.

It shall be the duty of the officer commanding any such working party, to have a regular account kept, under his inspection, of every day's work performed by each non-commissioned officer or private; and to transmit or deliver, monthly, a fair copy thereof to the military or assistant military agent of the district or post in which the labor may be performed; which military or assistant military agent will pay, from the money in his hands, or will draw the money on the said abstracts, and pay the non-commissioned officers and privates conformably herewith.

It is to be understood, that the extra daily pay and allowance is only to be given for actual days' work, and not to be granted when from sickness, or other causes, the work shall not actually be performed.

Regulations respecting the employment of physicians.

In future, no surgeon, surgeon's mate or physician, not holding an appointment in the army of the United States, is to be employed on public account, by any officer or other person whatever, to act in the capacity of surgeon, or surgeon's mate, or physician, for any man or men attached to the army, unless by special agreement first entered into, in which the compensation for medical service to be performed, shall be stipulated in writing, either by the day or month.

When the services required shall be such as not to exceed the usual duties, of a surgeon's mate, the compensation per month shall not exceed the pay and emoluments of a surgeon's mate.

For any number of men not exceeding thirty, the compensation should not exceed the rate of three hundred dollars a year inclusive of medicine.

In no instance, (extraordinary cases excepted) should the compensation for medical assistance, for a shorter period than one month, exceed the rate of four dollars per day, exclusive of medicine. Charges for medical services, will require certificates of their having been performed agreeably thereto.

Regulations respecting returns of clothing.

It shall be the duty of the commanding officers of companies to make out in December, in each year, correct returns for the clothing necessary for their respective companies for the succeeding year, including what is on hand fit for service; also, correct returns of all clothing on hand, noting such as is fit for use. The said returns to be forwarded, annually by the first day of January, to the department of war,

through the commanding officer of the military post garrison or encampment, at which the officer, making the return, is stationed. The commanding officer of companies shall be responsible for the correctness of their respective returns.

Regulations respecting salutes.

The national salute shall be conformable to the number of states recognized by congress, now eighteen.

A national salute shall be fired on a visit to the post from the President of the United States, on his landing and leaving, and to no other person.

Fifteen guns shall be fired on a visit from the vice president, the governor of a state, (not a territory), the secretary of war, secretary of the navy, a committee of congress, or a major general of the army on their landing; and thirteen guns may be fired to a general officer when inspecting the posts of his district; no other rank in the army shall be entitled to a salute. Previous notice must be given to the commanding officer of the post for the salute to be fired.

No salutes shall be fired to foreign ships or vessels of war but in return, and in every case their salute shall be returned gun for gun, notice being given.

No salutes shall be fired to public armed vessels of the United States under the rate of a frigate, and the only in return, the same number of guns, notice being given.

Each military post on the sea board will fire, at sun rise, on the morning of the fourth of July, a salute of thirteen guns, emblematical of the thirteen states which were declared independent; and at one o'clock of the same day, a national salute will be fired from all the military posts and forts in the United States.

Salutes from the forts at the several posts and in the harbors shall, as a general rule, be from six to twelve pounders, and of no higher caliber.

A gun, not exceeding a six pounder, may be fired at day light, each morning, at the following posts, viz

Fort Preble, Portland; Fort Constitution, Portsmouth, New-Hampshire; Fort Independence, Boston harbor; Fort Wolcott, Rhode-Island; Fort Columbus, New-York; Fort Mifflin, Delaware; Fort M'Henry, Baltimore; Fort Nelson, Norfolk; Fort Johnson, South-Carolina; and Fort St. Charles, New-Orleans.

Rules adopted by the President of the United States, respecting promotions in the army.

Promotions in the army of the United States shall hereafter be made agreeably to the regulations in force previous to those of the 3d of September, 1799, which were promulgated in general orders, dated 9th of that month.

Promotions to the rank of captain shall be made regimentally; and to the rank of colonel, in the lines of artillery and infantry, respectively; the three different establishments being kept distinct.

The officer next in rank will, on the happening of a vacancy, be considered, in ordinary cases, as the proper person to fill the same; but this rule may be subject to exceptions in extraordinary cases.

The above rules for promotions in the infantry and artillery, are applicable to the cavalry and riflemen.

No officer will consider himself as filling a vacancy, until he receives notice thereof through the department of war.



ADJUTANT GENERAL'S OFFICE,

Washington, May 4, 1812.

Regulation of the duties of the general staff.

THE duties of the general staff are distributed among the inspector general, the adjutant general, the quarter master general, the superior officer of artillery, the superior officer of engineers, and the superior surgeon of the army.

It will be the duty of the inspector general to organize the army; to superintend and enforce discipline; to visit and inspect camps, cantonments, quarters, prisons, places of arms, and hospitals; to make stated and unexpected inspections of troops, arms, equipage, clothing, ammunition, and horses; to make inspection returns, and confidential reports relative to the state and discipline of the army; to designate men and horses unfit for service, or the fatigues of war, that the former may be discharged, or sent to garrisons, and the latter sold; to examine the books of the quarter masters, pay masters, and companies, and ascertain the balances; to receive inspection returns and confidential reports; and to prescribe forms of returns exhibiting all the wants of the army.

It will be the duty of the adjutant general to form all orders given by the commanding general in a perspicuous manner; to forward them with despatch; to publish the decisions on the sentences of general courts martial; to make out all details for the distribution of service, equally, between the different corps of the army; to receive the daily and monthly returns, and lay abstracts before the commanding general; to draw up instructions; to furnish watchwords; to give form to the correspondence with the secretary of war, generals, and staff officers; to receive all applications for furloughs, and other particular requests; to correspond with relations of soldiers; to preserve orders, instructions, printed documents, and letters; to make the monthly return of the army; and to prescribe forms of the returns exhibiting the strength of corps.

It will be the duty of the quarter master general to purchase military stores, camp equipage, and other articles requisite for the troops, when thereto directed by the secretary at war; to procure and provide means of transport for the army, its stores, artillery, and camp equipage; to ensure a supply of provisions, and a regular distribution thereof to the troops;

to provide artificers and laborers for the public works ; to direct marches, and the laying out of encampments ; to regulate foraging ; to procure intelligence, and make secret disbursements to spies and guides ; to license and regulate suttlers at head quarters ; to make all disbursements for the public service ; and when the army goes into quarters, he distributes them, so that every officer may be convenient to his command, and that the highest rank may have the choice of quarters.

The superior officer of artillery will be charged with whatsoever relates to the artillery, the park, laboratory, tools, and ammunition.

The superior officer of engineers will be charged with the department of topography ; to draw plans of all kinds ; to trace routes ; to direct the formation of roads and bridges ; to direct the erection of fortifications and public works ; to keep a roll of the laborers employed ; to superintend the trenches at sieges ; to select the posts which are to cover and protect the camp ; and to make such professional reports and estimates as may be required by the commanding general.

The superior surgeon of the army is charged with what relates to the preservation of its health ; to ensure the necessary supply of medicines and instruments ; to establish stationary and moveable hospitals ; and to have all things necessary for the wounded in complete readiness.

It will be the duty of each principal officer of the staff, to accompany the commanding general in his reconnoitering excursions, circuits, and reviews ; and in action, he shall be attended by the inspector general, adjutant general, and quartermaster general, who shall execute such orders as may be given to them.

By command of the Secretary of War,

ALEX. MACOMB, *Acting Adjutant General,*

MILITARY LAWS.



An ACT fixing the Military Peace Establishment of the United States.

Sec. 1. *BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the military peace establishment of the United States, from and after the first of June next, shall be composed of one regiment of artillerists and two regiments of infantry, with such officers, military agents, and engineers, as are hereinafter mentioned.

Sec. 2. *And be it further enacted,* That the regiment of artillerists shall consist of one colonel, one lieutenant colonel, four majors, one adjutant, and twenty companies, each company to consist of one captain, one first lieutenant, one second lieutenant, two cadets, four sergeants, four corporals, four musicians, eight artificers and fifty-six privates; to be formed into five battalions: *Provided always,* That it shall be lawful for the President of the United States to retain, with their present grade, as many of the first lieutenants, now in service, as shall amount to the whole number of lieutenants required; but that in proportion as vacancies happen therein, new appointments be made to the grade of second lieutenants until their number amount to twenty; and each regiment of infantry shall consist of one colonel, one lieutenant colonel, one major, one adjutant, one sergeant major, two teachers of music, and ten companies; each company to consist of one captain, one first and one second lieutenant, one ensign, four sergeants, four corporals, four musicians, and sixty-four privates.

Sec. 3. *And be it further enacted,* That there shall be one brigadier general, with one aid de camp, who shall be taken from the captains or subalterns of the line; one adjutant and inspector of the army, to be taken from the line of field officers; one pay master of the army, seven pay masters and two assistants, to be attached to such districts as the President of the United States shall direct, to be taken from the line of com-

missioned officers, who, in addition to their other duties, shall have charge of the clothing of the troops ; three military agents, and such number of assistant military agents as the President of the United States shall deem expedient, not exceeding one to each military post, which assistants shall be taken from the line ; two surgeons, twenty-five surgeon's mates, to be attached to garrisons or posts, and not to corps.

Sec. 4. *And be it further enacted.* That the monthly pay of the officers, non-commissioned officers, musicians and privates, be as follows, to wit : to the brigadier general, two hundred and twenty-five dollars, which shall be his full and entire compensation, without a right to demand or receive any rations, forage, travelling expenses, or other perquisite or emolument whatsoever, except such stationary as may be requisite for the use of his department ; to the adjutant and inspector of the army, thirty-eight dollars in addition to his pay in the line, and such stationary as shall be requisite for his department ; to the pay master of the army, one hundred and twenty dollars, without any other emolument, except such stationary as may be requisite in his department, and the use of the public office now occupied by him ; to the aid de camp, in addition to his pay in the line, thirty dollars ; to each pay master attached to districts, thirty dollars, and each assistant to such pay master, ten dollars, in addition to his pay in the line ; to each military agent, seventy-six dollars, and no other emolument ; to each assistant military agent, eight dollars, in addition to his pay in the line, except the assistant military agents at Pittsburgh and Niagara, who shall receive sixteen dollars each, in addition to their pay in the line ; to each colonel, seventy-five dollars ; to each lieutenant colonel, sixty dollars ; to each major, fifty dollars ; to each surgeon, forty-five dollars ; to each surgeon's mate, thirty dollars ; to each adjutant, ten dollars, in addition to his pay in the line ; to each captain, forty dollars ; to each first lieutenant, thirty dollars ; to each second lieuten-

ant, twenty-five dollars ; to each ensign, twenty dollars ; to each cadet, ten dollars ; to each sergeant, major, nine dollars ; to each sergeant, eight dollars ; to each corporal, seven dollars ; to each teacher of music, eight dollars ; to each musician, six dollars ; to each artificer, ten dollars ; and to each private, five dollars.

Sec. 5. *And be it further enacted*, That the commissioned officers aforesaid shall be entitled to receive for their daily subsistence, the following number of rations of provisions : a colonel, six rations ; a lieutenant colonel, five rations ; a major, four rations ; a captain, three rations ; a lieutenant, two rations ; an ensign, two rations ; a surgeon, three rations ; a surgeon's mate, two rations ; a cadet, two rations, or money in lieu thereof, at the option of the said officers and cadets at the posts respectively where the rations shall become due ; and if at such post supplies are not furnished by contract, then such allowance as shall be deemed equitable, having reference to former contracts, and the position of the place in question ; and each non-commissioned officer, musician and private, one ration ; to the commanding officers of each separate post, such additional number of rations, as the President of the United States shall, from time to time direct, having respect to the special circumstances of each post ; to the women who may be allowed to any particular corps, not exceeding the proportion of four to a company, one ration each ; to such matrons and nurses as may be necessarily employed in the hospital, one ration each ; and to every commissioned officer who shall keep one servant, not a soldier of the line, one additional ration.

Sec. 6. *And be it further enacted*, That each ration shall consist of one pound and a quarter of beef, or three quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey, or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

Sec. 7. *And be it further enacted*, That the following

officers shall, whenever forage is not furnished by the public, receive at the rate of the following sums per month, in lieu thereof ; each colonel, twelve dollars ; each lieutenant colonel, eleven dollars ; each major, ten dollars ; each adjutant, six dollars ; each surgeon, ten dollars ; each surgeon's mate, six dollars.

Sec. 8. *And be it further enacted*, That every non-commissioned officer, musician, and private, of the artillery and infantry, shall receive annually the following articles of uniform clothing, to wit : one hat, one coat, one vest, two pair of woollen and two pair linen overalls, one coarse linen frock and trowsers for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters ; and the secretary of war is hereby authorized to cause to be furnished to the pay masters of the respective districts, such surplus of clothing as he may deem expedient, which clothing, shall under his direction, be furnished to the soldiers, when necessary, at the contract prices, and accounted for by them out of their arrears of monthly pay.

Sec. 9. *And be it further enacted*, That the President of the United States cause to be arranged, the officers, non-commissioned officers, musicians and privates of the several corps of troops now in the service of the United States, in such manner as to form and complete, out of the same, the corps aforesaid ; and cause the supernumerary officers, non-commissioned officers, musicians and privates, to be discharged from the service of the United States, from and after the first day of April next, or as soon thereafter as circumstances may permit.

Sec. 10. *And be it further enacted*, That the officers, non-commissioned officers, musicians and privates of the said corps, shall be governed by the rules and articles of war, which have been established by the United States in congress assembled, or by such rules and articles as may be hereafter by law established : *Pro-*

vided nevertheless, That the sentence of general courts martial, extending to the loss of life, the dismissal of a commissioned officer, or which shall respect the general officer, shall, with the whole of the proceedings of such cases, respectively, be laid before the President of the United States, who is hereby authorized to direct the same to be carried into execution, or otherwise, as he shall judge proper.

Sec. 11. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, to keep up, by voluntary enlistment, the corps as aforesaid, shall be entitled to receive, for every effective able bodied citizen of the United States, who shall be duly enlisted by him for the term of five years, and mustered, of at least five feet six inches high, and between the ages of eighteen and thirty-five years, the sum of two dollars : *Provided nevertheless*, That this regulation, so far as respects the height and age of the recruit shall not extend to musicians, or to those soldiers who may re-enlist into the service : *And provided also*, That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent of his parent, guardian, or master, first had and obtained, if any he have : and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence, he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Sec. 12. *And be it further enacted*, That there shall be allowed and paid to each effective able bodied citizen, recruited as aforesaid, to serve for the term of five years, a bounty of twelve dollars ; but the payment of six dollars of the said bounty, shall be deferred until he shall be mustered, and have joined the corps in which he is to serve.

Sec. 13. *And be it further enacted*, That the said corps shall be paid in such manner, that the arrears

shall, at no time, exceed two months, unless the circumstances of the case shall render it unavoidable.

Sec. 14. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private, in the corps composing the peace establishment, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pay and under such regulations, as may be directed by the President of the United States for the time being : *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability half the monthly pay of such officer at the time of his being disabled or wounded ; and that no officer shall receive more than the half pay of a lieutenant colonel ; and that the rate of compensation to non-commissioned officers, musicians and privates, shall not exceed five dollars per month : *And provided also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Sec. 15. *And be it further enacted*, That if any commissioned officer in the military peace establishment of the United States shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years. But in case of the death or intermarriage of such widow before the expiration of the said term of five years, the half pay, for the remainder of the time, shall go to the child or children of such deceased officer : *Provided always*, That such half pay shall cease on the decease of such child or children.

Sec. 16. *And be it further enacted*, That the pay

master shall perform the duties of his office, agreeably to the direction of the President of the United States, for the time being ; and before he enters on the duties of the same, shall give bonds, with good and sufficient sureties, in such sums as the President shall direct, for the faithful discharge of his said office ; and shall take an oath to execute the duties thereof with fidelity : and it shall, moreover, be his duty to appoint from the line, with the approbation of the President of the United States, the several pay masters to districts, and assistants, prescribed by this act ; and he is hereby authorized to require the said pay masters to districts, and assistants, to enter into bond, with good and sufficient surety, for the faithful discharge of their respective duties.

Sec. 17. *And be it further enacted*, That it shall be the duty of the military agents designated by this act, to purchase, receive and forward to their proper destination, all military stores and other articles for the troops in their respective departments, and all goods and annuities for the Indians, which they may be directed to purchase, or which shall be ordered into their care by the department of war. They shall account with the department of war, annually, for all the public property which may pass through their hands, and all the monies which they may expend in discharge of the duties of their offices, respectively : previous to their entering on the duties of their offices, they shall give bonds, with sufficient sureties, in such sums as the President of the United States shall direct, for the faithful discharge of the trust reposed in them ; and shall take an oath faithfully to perform the duties of their respective offices.

Sec. 18. *And be it further enacted*, That if any non-commissioned officer, musician, or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such a period, as shall, with the time he may have served previous to his

desertion, amount to the full term of his enlistment; and such soldier shall and may be tried, by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

Sec. 19. *And be it further enacted*, That every person who shall procure or entice a soldier in the service of the United States, to desert; or who shall purchase from any soldier, his arms, uniform clothing, or any part thereof; and every captain or commanding officer of any ship or vessel, who shall enter on board such ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away any such soldier, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined at the discretion of any court having cognizance of the same, in any sum not exceeding three hundred dollars, or be imprisoned any term not exceeding one year.

Sec. 20. *And be it further enacted*, That every officer, non-commissioned officer, musician, and private, shall take and subscribe the following oath or affirmation, to wit: "I, A. B. do solemnly swear or affirm, (as the case may be) that I will bear true faith and allegiance to the United States of America, and that I will serve them honestly and faithfully against their enemies, or opposers, whomsoever; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war."

Sec. 21. *And be it further enacted*, That whenever a general court martial shall be ordered, the President of the United States may appoint some fit person to act as judge advocate, who shall be allowed, in addition to his other pay, one dollar and twenty-five cents for every day he shall be necessarily employed in the duties of the said court; and in cases where the President shall not have made such appointment, the brigadier general or the president of the court may make the same.

Sec. 22. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day, to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

Sec. 23. *And be it further enacted*, That no non-commissioned officer, musician or private, shall be arrested, or subject to arrest, or to be taken in execution for any debt under the sum of twenty dollars, contracted before enlistment, nor for any debt contracted after enlistment.

Sec. 24. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

Sec. 25. *And be it further enacted*, That to each commissioned officer who shall be deranged by virtue of this act, there shall be allowed and paid, in addition to the pay and emoluments to which they will be entitled by law at the time of their discharge, to each officer whose term of service in any military corps of the United States shall not have exceeded three years, three months' pay; to all other officers so deranged, one month's pay of their grades, respectively, for each year of past service in the army of the United States, or in any regiment or corps now or formerly in the service thereof.

Sec. 26. *And be it further enacted*, That the President of the United States is hereby authorized and empowered, when he shall deem it expedient, to organize and establish a corps of engineers, to consist of one engineer with the pay, rank and emoluments of a major; two assistant engineers, with the pay, rank and emolu-

ments of captains ; two other assistant engineers, with the pay, rank and emoluments of first lieutenants ; two other assistant engineers, with the pay, rank and emoluments of second lieutenants ; and ten cadets, with the pay of sixteen dollars per month, and two rations per day : and the President of the United States is, in like manner authorized, when he shall deem it proper, to make such promotions in the said corps, with a view to particular merit, and without regard to rank so as not to exceed one colonel, one lieutenant colonel, two majors, four captains, four first lieutenants, four second lieutenants, and so as that the number of the whole corps shall, at no time, exceed twenty officers and cadets.

Sec. 27. *And be it further enacted*, That the said corps when so organized, shall be stationed at West Point, in the state of New-York, and shall constitute a military academy ; and the engineers, assistant engineers, and cadets of the said corps, shall be subject, at all times, to do duty in such places, and on such service, as the President of the United States shall direct.

Sec. 28. *And be it further enacted*, That the principal engineer, and in his absence, the next in rank, shall have the superintendence of the said military academy, under the direction of the President of the United States ; and the secretary of war is hereby authorized, at the public expense, under such regulations as shall be directed by the President of the United States, to procure the necessary books, implements and apparatus for the use and benefit of the said institution.

Sec. 29. *And be it further enacted*, That so much of any act or acts, now in force, as comes within the purview of this act, shall be, and the same is hereby repealed ; saving, nevertheless, such parts thereof, as relate to the enlistments or term of service of any of the troops, which, by this act, are continued on the present military establishment of the United States.

APPROVED, 16th March, 1802.

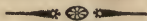
An ACT in addition to an Act, entitled "An Act fixing the Military Peace Establishment of the United States."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be added to the regiment of artillery, two teachers of music, whose pay, rations and clothing, shall be the same as is by law allowed to the teachers of music in the regiments of infantry in the service of the United States.

Sec. 2. *And be it further enacted,* That the President of the United States be and he is hereby authorized to appoint one teacher of the French language, and one teacher of drawing, to be attached to the corps of engineers, whose compensation shall not exceed the pay and emolument of a captain in the line of the army.

Sec. 3. *And be it further enacted,* That the commanding officer of the corps of engineers, be authorized to enlist for a term, not less than three years, one artificer, and eighteen men, to aid in making practical experiments and for other purposes; to receive the same pay, rations and clothing as are allowed to the artificers and privates, in the army of the United States; and the same bounty when enlisted for five years; and to be subject to the rules and articles of war.

APPROVED, 28th February, 1803.



An ACT in addition to "An Act for fixing the Military Peace Establishment of the United States."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be appointed in addition to the surgeons' mates provided for by the "act fixing the military peace establishment of the United States," as many surgeons' mates, not exceeding six, as the President of the United States may judge necessary, to be attached to the garrisons or posts agreeable to the provisions of the said act.

Sec. 2. *And be it further enacted*, That an equivalent in malt liquor or low wines, may be supplied the troops of the United States, instead of the rum, whisky, or brandy, which by the said act is made a component part of a ration, at such posts and garrisons, and at such seasons of the year, as, in the opinion of the President of the United States, may be necessary for the preservation of their health.

NATHL. MACON,
Speaker of the House of Representatives.

JESSE FRANKLIN,
President of the Senate pro tempore.

March 26, 1804.

APPROVED,

TH: JEFFERSON.

An ACT to raise for a limited Time, an additional Military Force.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in addition to the present military establishment of the United States, there be raised five regiments of infantry, one regiment of riflemen, one regiment of light artillery, and one regiment of light dragoons, to be enlisted for the term of five years, unless sooner discharged.

Sec. 2. *And be it further enacted*, That the said regiments of infantry, riflemen and artillery, shall consist of ten companies each, and the regiment of light dragoons of eight troops; and the field and staff officers of each regiment, of one colonel, one lieutenant colonel, one major, one adjutant, one quarter master, one pay master, one surgeon, one surgeon's mate, one sergeant major, one quarter master sergeant, two principal musicians, and for the regiment of light dragoons, one riding master; each company of infantry and riflemen to consist of one captain, one first and one second lieutenant, one ensign, two cadets, four sergeants, four cor-

porals, two musicians, and sixty-eight privates ; each company of artillery of one captain, one first and one second lieutenant, two cadets, four sergeants, four corporals, two musicians, eight artificers, and fifty-eight matrosses ; and each troop of light dragoons of one captain, one first and one second lieutenant, one cornet, two cadets, four sergeants, four corporals, two musicians, one saddler, one farrier, and sixty-four privates.

Sec. 3. *And be it further enacted*, That when, in the opinion of the President of the United States, a suitable proportion of the troops authorized by this act shall be raised, there may be appointed two additional brigadier generals, who shall be entitled to one aid de camp each, to be taken from the subalterns of the line ; two brigade inspectors, and two brigade quarter masters ; and such number of hospital surgeons, and surgeon's mates, as the service may require, but not exceeding five surgeons and fifteen mates, with one steward, and one ward master to each hospital : the brigade inspectors appointed under this act shall be taken from the line ; and the brigade quarter masters, the adjutants, regimental quarter masters and pay masters, from the subalterns of the line.

Sec. 4. *And be it further enacted*, That the compensation of the officers, cadets, non-commissioned officers, musicians, artificers and privates, authorized by this act, shall be, viz ; to each brigadier general, one hundred and four dollars per month, twelve rations per day, or an equivalent in money, and sixteen dollars per month for forage, when not furnished by the public ; each brigade inspector, thirty dollars per month, in addition to his pay in the line ; each brigade quarter master and aid de camp, twenty dollars ; and each adjutant, regimental quarter master and pay master, ten dollars per month, in addition to their pay in the line, and to each six dollars per month for forage, when not furnished as aforesaid ; each hospital surgeon, seventy-five dollars per month, six rations per day, or an equiv-

alent in money, and twelve dollars per month for forage, when not furnished as aforesaid; each hospital surgeon's mate, forty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid; each hospital steward, twenty dollars per month and two rations per day, or an equivalent in money; each ward master, sixteen dollars per month and two rations per day, or an equivalent in money; to the colonel of light dragoons, ninety dollars per month, six rations per day, and forage for five horses; to the lieutenant colonel of light dragoons, seventy-five dollars per month, five rations per day, and forage for four horses; to the major of light dragoons, sixty dollars per month, four rations per day, and forage for four horses; to each captain of light dragoons, fifty dollars per month, three rations per day, and forage for three horses; to each lieutenant of light dragoons, thirty-three and one-third dollars per month, two rations per day, and forage for two horses; to each cornet of light dragoons, twenty-six and two-thirds dollars per month, two rations per day, and forage for two horses; to the riding master, twenty-six and two-thirds dollars per month, two rations per day, and forage for two horses; each saddler and farrier, ten dollars per month, one ration per day, and a suit of uniform clothing, annually; and all other officers, cadets, non-commissioned officers, musicians, artificers and privates, authorized by this act, shall receive the like pay, clothing, rations, forage and other emoluments, as the officers, cadets, non-commissioned officers, musicians, artificers and privates of the present military establishment: *Provided*, The officers and riding master furnish their own horses and accoutrements, and actually keep in service the aforesaid number of horses, to entitle them to the foregoing allowance for forage, or its equivalent in money: *And provided also*, That the whole or any part of the regiment of light dragoons shall be liable to serve on foot as light infantry, until, by order of the President of the United

States, horses and accoutrements shall be provided to equip the whole or any part thereof as mounted dragoons.

Sec. 5. *And be it further enacted*, That the officers, cadets, non-commissioned officers, musicians, artificers and privates, raised pursuant to this act, shall be entitled to the like compensation in case of disability by wounds and otherwise incurred in the service, as the officers, cadets, non-commissioned officers, musicians, artificers and privates in the present military establishment, and with them shall be subject to the rules and articles of war which have been established, or may be hereafter by law [be] established; And that the provisions of the act, entitled "An act fixing the military peace establishment of the United States," relative to the widow, child or children of any commissioned officer who shall die, while in the service of the United States, by reason of any wound received in actual service of the United States, to courts martial, the regulation and compensation of recruiting officers, the age, size, qualifications and bounties of recruits, arrears of pay, the bonds and duties of pay masters, penalties for desertion, punishment of persons who shall procure or entice any soldier to desert, or shall purchase from any soldier his arms, uniform clothing, or any part thereof; and the punishment of any commanding officer of any ship or vessel who shall receive on board of his ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away any such soldier, or shall refuse to deliver him up to the orders of his commanding officer; to the oath or affirmation to be taken and subscribed by officers, non-commissioned officers, musicians and privates; to the allowance for extra expense to any commissioned officer in travelling and sitting on general courts martial; to arrests of non-commissioned officers, musicians and privates for debts; to soldiers discharged from service, except by way of punishment, shall be in force and applied to all persons, matters and things within the intent and meaning of this act, in the

same manner as if they were inserted at large in the same.

Sec. 6. *And be it further enacted*, That the subsistence of the officers of the army when not received in kind, shall be estimated at twenty cents per ration.

Sec. 7. *And be it further enacted*, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

Sec. 8. *And be it further enacted*, That in the recess of the senate the President of the United States is hereby authorised to appoint all or any of the officers, other than the general officers, proper to be appointed under this act, which appointments shall be submitted to the senate at the next session, for their advice and consent.

Sec. 9. *And be it further enacted*, That every commissioned and staff officer to be appointed in virtue of this act, shall be a citizen of the United States, or some one of the territories thereof.

J. B. VARNUM,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

April 12, 1808.

APPROVED, .

TH: JEFFERSON.

An ACT for completing the existing Military Establishment.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the military establishment, as now authorised by law, be immediately completed.

Sec. 2. *And be it further enacted*, That there be allowed and paid to each effective, able bodied man,

recruited or re-enlisted for that service, for the term of five years, unless sooner discharged, the sum of sixteen dollars; but the payment of one half of the said bounty shall be deferred until he shall be mustered and have joined the corps in which he is to serve; and whenever any non-commissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall moreover be allowed and paid, in addition to the aforesaid bounty, three month's pay and one hundred and sixty acres of land; and the heirs and representatives of those non-commissioned officers or soldiers, who may be killed in action, or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three month's pay, and one hundred and sixty acres of land, to be designated, surveyed and laid off at the public expense, in such manner and upon such terms and conditions, as may be provided by law.

H. CLAY,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

December 24, 1811.

APPROVED,

JAMES MADISON.

An ACT authorizing the President of the United States to raise certain Companies of Rangers for the Protection of the Frontier of the United States.

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, whenever he shall have satisfactory evidence of the actual or threatened invasion of any state or territory

of the United States, by any Indian tribe or tribes, be, and he is hereby authorized to raise, either by the acceptance of volunteers or enlistment for one year, unless sooner discharged, as many companies as he may deem necessary, not exceeding six, who shall serve on foot or be mounted, as the service in his opinion may require, shall act on the frontier as rangers, be armed, equipped and organized in such manner, and be under such regulations and restrictions, as the nature of the service in his opinion may make necessary.

Sec. 2. *And be it further enacted*, That each of the said companies of rangers shall consist of one captain, one first, one second lieutenant, one ensign, four sergeants, four corporals, and sixty privates.

Sec. 3. *And be it further enacted*, That when the said rangers arm and equip themselves and provide their own horses, they shall be allowed each one dollar per day, and without a horse seventy-five cents per day, as full compensation for their services, rations or forage, as the case may be. The commissioned officers shall receive the same pay and rations as officers of the same grade in the army of the United States.

Sec. 4. *And be it further enacted*, That the officers, non-commissioned officers and privates, raised pursuant to this act, shall be entitled to the like compensation in case of disability, by wounds and otherwise, incurred in the service, as officers, non-commissioned officers and privates in the present military establishment, and with them shall be subject to the rules and articles of war, which have been established or may hereafter by law be established; and the provisions of the act, entitled "An act fixing the military peace establishment of the United States," so far as they may be applicable, shall be extended to all persons, matters and things within the intent and meaning of this act, in the same manner as if they were inserted at large in the same. This act shall take effect and be in force

from and after the passage thereof, and continue in force for one year, and from thence to the end of the next session of congress.

Sec. 5. *And be it further enacted*, That in the recess of the senate, the President of the United States is hereby authorized to appoint all the officers proper to be appointed under this act ; which appointments shall be submitted to the senate at their next session for their advice and consent.

H. CLAY,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

January 2, 1812.

APPROVED,

JAMES MADISON.

An ACT to raise an additional Military Force.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be immediately raised, ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for the term of five years unless sooner discharged.

Sec. 2. *And be it further enacted*, That a regiment of infantry shall consist of eighteen captains, eighteen first lieutenants, eighteen second lieutenants, eighteen ensigns, seventy-two sergeants, seventy-two corporals, thirty-six musicians, and eighteen hundred privates, which shall form two battalions, each of nine companies. A regiment of artillery shall consist of twenty captains, twenty first lieutenants, twenty second lieutenants, forty cadets, eighty sergeants, eighty corporals, one hundred and sixty artificers, forty musicians, and fourteen hundred and forty privates, which shall form two battalions, each of ten companies. The regiment of cavalry shall consist of twelve

captains, twelve first lieutenants, twelve second lieutenants, twelve cornets, twenty-four cadets, forty-eight sergeants, forty-eight corporals, twelve saddlers, twelve farriers, twelve trumpeters, and nine hundred and sixty privates, which shall form two battalions, each of six companies.

Sec. 3. *And be it further enacted*, That to each regiment raised under this act, whether of infantry, artillery or light dragoons, there shall be appointed one colonel, two lieutenant colonels, two majors, two adjutants, one quarter master, one pay master, one surgeon, two surgeons' mates, two sergeant majors, two quarter master sergeants and two senior musicians.

Sec. 4. *And be it further enacted*, That there shall be appointed two major generals, each of whom shall be allowed two aids, to be taken from the commissioned officers of the line ; and five brigadier generals, each of whom shall be allowed a brigade major and an aid, to be taken from the captains and subalterns of the line ; and there shall also be appointed one adjutant general and one inspector general, each with the rank, pay and emoluments of a brigadier general ; the said adjutant general shall be allowed one or more assistants, not exceeding three, to be taken from the line of the army, with the same pay and emoluments as by this act are allowed to a lieutenant colonel ; the said inspector general shall be allowed two assistant inspectors, to be taken from the line of the army, each of whom shall receive, while acting in said capacity, the same pay and emoluments as by this act are allowed to a lieutenant colonel ; there shall also be appointed such number of hospital surgeons and mates as the service may require, with one steward to each hospital.

Sec. 5. *And be it further enacted*, That when an officer is detached to serve as brigade major or aid, or as assistant to the adjutant general or inspector general, on the appointment of a general officer, or

as adjutant or quarter master on the appointment of a colonel, he shall not thereby lose his rank.

Sec. 6. *And be it further enacted*, That the major generals respectively shall be entitled to two hundred dollars monthly pay, with twenty dollars allowance for forage, monthly, and fifteen rations per day. Their aids de camp shall each be entitled to twenty-four dollars monthly, in addition to their pay in the line, and ten dollars monthly for forage, and four rations. The brigadier generals, respectively, shall be entitled to one hundred and four dollars monthly pay, twelve rations per day, and sixteen dollars per month for forage, when not found by the public.

Sec. 7. *And be it further enacted*, That all other officers, cadets, non-commissioned officers, musicians, artificers and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments, as the officers of the same grade and corps, cadets, non-commissioned officers, musicians, artificers and privates, of the present military establishment.

Sec. 8. *And be it further enacted*, That each ration shall consist of one pound and a quarter of beef, or three quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whisky or brandy; and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

Sec. 9. *And be it further enacted*, That every non-commissioned officer, musician and private of the artillery and infantry, shall receive annually the following articles of uniform clothing, to wit: one hat, one coat, one vest, two pair of woollen and two pair of linen overalls, one coarse linen frock and trowsers for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters: And the secretary of war is hereby authorized to cause to be furnished to the pay masters of the re-

spective districts, such surplus of clothing as he may deem expedient, which clothing shall, under his direction, be furnished to the soldiers, when necessary, at the contract prices, and accounted for by them out of their arrears of monthly pay.

Sec. 10. *And be it further enacted*, That the officers, non-commissioned officers, musicians and privates of the said corps, shall be governed by the rules and articles of war, which have been established by the United States in congress assembled, or by such rules and articles as may be hereafter, by law, established.

Sec. 11. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive for every effective able bodied man, who shall be duly enlisted by him for the term of five years, and mustered, (and between the ages of eighteen and forty-five years) the sum of two dollars : *Provided nevertheless*, That this regulation, so far as respects the age of the recruit, shall not extend to musicians or to those soldiers who may re-enlist in the service : *And provided also*, That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian or master, first had and obtained, if any he have ; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Sec. 12. *And be it further enacted*, That there shall be allowed and paid to each effective able bodied man, recruited as aforesaid, to serve for the term of five years, a bounty of sixteen dollars ; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined

some military corps of the United States for service. And whenever any non-commissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall moreover be allowed and paid in addition to the said bounty, three month's pay, and one hundred and sixty acres of land ; and the heirs and representatives of those non-commissioned officers or soldiers, who may be killed in action or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months pay, and one hundred and sixty acres of land, to be designated, surveyed and laid off at the public expense, in such manner, and upon such terms and conditions, as may be provided by law.

Sec. 13. *And be it further enacted*, That the said corps shall be paid in such manner, that the arrears shall, at no time, exceed two months, unless the circumstances of the case shall render it unavoidable.

Sec. 14. *And be it further enacted*, That if any officer, non-commissioned officer, musician or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension, and under such regulations as are or may be directed by law : *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability half the monthly pay of such officer, at the time of his being disabled or wounded ; and that no officer shall receive more than the half pay of a lieutenant-colonel ; and that the rate of compensation to non-commissioned officers, musicians and privates, shall not exceed five dollars per month : *And provided also*, That all inferior disabilities shall entitle the persons so disabled to receive an allowance proportionate to the highest disability.

Sec. 15. *And be it further enacted*, That if any commissioned officer, in the military establishment of the United States, shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years: But in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children, of such deceased officer: *Provided always*, That such half pay shall cease on the decease of such child or children.

Sec. 16. *And be it further enacted*, That if any non-commissioned officer, musician or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

Sec. 17. *And be it further enacted*, That every person not subject to the rules and articles of war, who shall procure or entice a soldier, in the service of the United States, to desert; or who shall purchase from any soldier, his arms, uniform clothing, or any part thereof; and every captain or commanding officer of any ship or vessel, who shall enter on board such ship or vessel as one of his crew, knowing him to have deserted, or otherwise carry away any such soldier, or shall refuse to deliver him up to the orders of his commanding officer, shall upon legal conviction, be fined at the discretion of any court having

cognizance of the same, in any sum not exceeding three hundred dollars, and be imprisoned any term not exceeding one year.

Sec. 18. *And be it further enacted*, That every officer, non-commissioned officer, musician and private, shall take and subscribe the following oath or affirmation, to wit; I, A. B. do solemnly swear or affirm, (as the case may be) that I will bear true faith and allegiance to the United States of America, and that I will serve them honestly and faithfully against their enemies or opposers whomsoever; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war.

Sec. 19. *And be it further enacted*, That there shall be appointed to each division a judge advocate, who shall be entitled to the same pay and emoluments as a major in the infantry; or if taken from the line of the army, shall be entitled to thirty dollars per month, in addition to his pay, and the same allowance for forage as is allowed by law for a major of infantry.

Sec. 20. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

Sec. 21. *And be it further enacted*, That no non-commissioned officer, musician or private, during the term of his service, shall be arrested on mesne process, or taken or charged in execution for any debt or debts contracted before enlistment, which were severally under twenty dollars at the time of contracting the same, nor for any debt whatever contracted after enlistment.

Sec. 22. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

Sec. 23. *And be it further enacted*, That the subsistence of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

Sec. 24. *And be it further enacted*, That there shall be appointed to each brigade, one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

Sec. 25. *And be it further enacted*, That no general, field or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

H. CLAY,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

January 11, 1812.

APPROVED,

JAMES MADISON.

An ACT authorizing the President of the United States to accept and organize certain Volunteer Military Corps.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby authorized to accept of any company or companies of volunteers, either of artillery, cavalry or infantry, who may associate and offer them-

selves for the service, not exceeding fifty thousand men, who shall be clothed, and in case of cavalry, furnished with horses, at their own expense, and armed and equipped at the expense of the United States, after they shall be called into service, and whose commissioned officers shall be appointed in the manner prescribed by law in the several states and territories to which such companies shall respectively belong: *Provided*, That where any company, battalion, regiment, brigade or division, of militia, already organized, shall tender their voluntary service to the United States, such company, battalion, regiment, brigade or division, shall continue to be commanded by the officers holding commissions in the same, at the time of such tender, and any vacancy thereafter occurring, shall be filled in the mode pointed out by law in the state or territory, wherein the said company, battalion, regiment, brigade or division, shall have been originally raised.

Sec. 2. *And be it further enacted*, That any company, battalion, regiment, brigade or division, thus offering itself for the service, shall be liable to be called upon to do military duty, at any time the President of the United States shall judge proper, within two years after he shall have accepted the same, and shall be bound to continue in service for the term of twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged; and when so called into service, and whilst remaining therein, shall be under the same rules and regulations, and be entitled to the same pay, rations, forage, and emoluments of every kind, bounty and clothing excepted, with the regular troops of the United States: *Provided*, That in lieu of clothing, every non-commissioned officer and private, in any company, who may thus offer themselves, shall be entitled, when called into service, to receive in money a sum equal to the cost of the clothing of a non-commissioned officer or private, (as the case may be) in the regular troops of the United States.

Sec. 3. *And be it further enacted*, That the President of the United States be, and he hereby is authorized, to organize the companies so tendering their services as aforesaid, into battalions, squadrons, regiments, brigades and divisions, as soon as the number of volunteers shall render such organization in his judgment expedient; but, until called into actual service, such companies are not to be considered as exempt from the performance of militia duty, as is required by law, in like manner as before the passage of this act.

Sec. 4. *And be it further enacted*, That in case any volunteer above mentioned, while in actual service, shall sustain any damage, by injury done to his horse, or such other equipment as shall have been furnished at his own expense, or by loss of the same, without any fault or negligence on his part, a reasonable sum, to be ascertained in such manner as the President of the United States may direct, shall be allowed and paid to such volunteer, for each and every such loss or damage.

Sec. 5. *And be it further enacted*, That if any officer, non-commissioned officer, musician or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalid pensioners of the United States, at such rate of pension and under such regulations as are or may be directed by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer, at the time of his being wounded or disabled, and that no officer shall receive more than the half pay of a lieutenant colonel: And that the rate of pension to non-commissioned officers, musicians and privates, shall not exceed five dollars per month: *And provided also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Sec. 6. *And be it further enacted*, That the heirs and representatives of any non-commissioned officer or soldier, who may be killed in action, or die in the actual service of the United States, shall be entitled to receive one hundred and sixty acres of land; to be designated, surveyed and laid off, at the public expense, in such manner and upon such terms and conditions as may be provided by law.

Sec. 7. *And be it further enacted*, That upon the discharge of any non-commissioned officer or soldier who shall have been accepted under the provisions of this act, and shall have been in actual service for a period not less than one month, and shall have obtained from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty while in service, such non-commissioned officer or soldier, if attached to the artillery or infantry, shall be presented with a musket, bayonet, and other personal equipments, or, if attached to the cavalry, with the sabre and pistols furnished him by the United States, as a public testimonial of the promptitude and zeal with which he shall have volunteered in support of the rights and honor of the country.

Sec. 8. *And be it further enacted*, That the sum of one million of dollars be appropriated to defray the expenses which may be incurred under the provisions of this act, to be paid out of any money in the treasury not otherwise appropriated.

H. CLAY,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

February 6, 1812.

APPROVED,

JAMES MADISON.

An ACT supplementary to "An Act to raise, for a limited Time, an additional Military Force," passed on the twelfth day of April, one thousand eight hundred and eight.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever, in the opinion of the President of the United States, it is expedient to mount the light artillery, or any part thereof, horses and accoutrements shall be provided to equip the whole or such part as he may direct; and when the non-commissioned officers, musicians, artificers and privates are so equipped, the officers shall be entitled to the same forage as is now provided for the officers of the same grade in the regiment of light dragoons: *Provided,* The officers furnish their own horses, and accoutrements, and actually keep in service the same number of horses to entitle them to the aforesaid allowance for forage or its equivalent in money.

Sec. 2. *And be it further enacted,* That whenever the said light artillery are ordered to be mounted, there shall be provided one saddler and one farrier to each company, who shall be entitled to the same pay and emoluments as are now provided for saddlers and farriers in the regiment of light dragoons.

H. CLAY,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

February 24, 1812.

APPROVED,

JAMES MADISON.

An ACT supplementary to "An Act to raise an additional Military Force."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the non-commissioned of-

ficers, musicians and privates of the light dragoons, shall receive the same uniform clothing as is now provided by law for the artillery and infantry, excepting one pair of gaiters and four pair of shoes, in lieu of which, each person shall be annually entitled to receive one pair of boots and two pair of shoes.

Sec. 2. *And be it further enacted*, That the non-commissioned officers, musicians and privates of the regiment of light artillery, shall receive the same clothing as the light dragoons, when ordered to be mounted.

Sec. 3. *And be it further enacted*, That all the officers, excepting general officers who may be appointed during the present session of Congress, under the "act to raise an additional military force," shall take rank in such manner, as the President of the United States shall direct, without regard to priority of appointment.

H. CLAY,

Speaker of the House of Representatives.

GEO. CLINTON,

*Vice-President of the United States, and
President of the Senate.*

March 17, 1812.

APPROVED,

JAMES MADISON.

*An ACT to establish a Quarter Master's Department,
and for other Purposes.*

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and hereby is established a quarter master's department for the army of the United States, to consist of a quarter master general, four deputy quarter masters, and as many assistant deputy quarter masters as, in the opinion of the President of the United States, the public service may require; the quarter master general and deputy quarter masters to be appointed by the President, by

and with the advice and consent of the senate, and the assistant deputy quarter masters by the President alone. And he hereby is authorized, moreover, to appoint such additional number of deputy quarter masters, not exceeding four, to be taken from the lines or not, at his discretion, as in his judgment the public service may require.

Sec. 2. *And be it further enacted*, That the quarter master general shall be entitled to the rank, pay and emoluments of a brigadier general, under the act of the twelfth of April, one thousand eight hundred and eight, with forage for two additional horses; the deputy quarter masters, when not taken from the line, shall be entitled to receive sixty dollars per month, five rations per day and forage for two horses; but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision; the assistant deputy quarter masters, when not taken from the line, shall be entitled to and receive forty dollars per month, three rations per day and forage for one horse; but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision.

Sec. 3. *And be it further enacted*, That in addition to their duties in the field, it shall be the duty of the quarter master general, his deputies and assistant deputies, when thereto directed by the secretary of war, to purchase military stores, camp equipage and other articles requisite for the troops; and generally to procure and provide means of transport for the army, its stores, artillery, and camp equipage. That the quarter master general shall account, as often as may be required, and at least once in three months, with the department of war, in such manner as shall be prescribed, for all property which may pass through his hands, or the hands of the subordinate officers in his department, or that may be in his or their care or possession, and for all monies which he or they may expend in discharging their respective duties; that

he shall be responsible for the regularity and correctness of all returns in his department, and that he, his deputies and assistant deputies, before they enter on the execution of their respective offices, shall severally take an oath faithfully to perform the duties thereof.

Sec. 4. *And be it further enacted*, That there shall be a commissary general of purchases, and as many deputy commissaries as, in the opinion of the President of the United States, the public service may require, to be appointed by the President, by and with the advice and consent of the Senate.

Sec. 5. *And be it further enacted*, That it shall be the duty of the commissary general of purchases, under the direction and supervision of the secretary of war, to conduct the procuring and providing of all arms, military stores, clothing, and generally all articles of supply requisite for the military service of the United States; and it shall be the duty of the deputy commissaries, when directed thereto, either by the secretary of war, the commissary general of purchases, or in cases of necessity, by the commanding general, quarter master general, or deputy quarter masters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

Sec. 6. *And be it further enacted*, That neither the quarter master general nor the commissary general shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce, or be owner in whole or in part of any sea vessel, nor shall either of them purchase by himself, or another in trust for him, public lands or any other public property, or be concerned in the purchase or disposal of any public securities of any state, or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if either the said quarter master general or commissary general shall offend

against any of the prohibitions of this act, the parties so offending shall, upon conviction, forfeit to the United States the penalty of three thousand dollars, and may be imprisoned for a term not exceeding five years, and shall be removed from office, and be for ever thereafter incapable of holding any office under the United States.

Sec. 7. *And be it further enacted*, That the salary of the commissary general of purchases shall be three thousand dollars per annum; and the compensation to a deputy commissary shall not exceed two and one-half per centum on the public monies disbursed by him, nor in any instance the sum of two thousand dollars per annum.

Sec. 8. *And be it further enacted*, That the commissary general of purchases shall, before he enters upon his duties, give bond with sufficient surety, to be approved of by the secretary of war, in the sum of fifty thousand dollars; and the deputy commissaries each in the sum of ten thousand dollars, with condition for the faithful performance of the duties of their office respectively, which bonds shall be lodged with the comptroller of the treasury.

Sec. 9. *And be it further enacted*, That from and after the last day of May next, so much of the act entitled "an act to establish the office of purveyor of public supplies," as relates to the appointment and services of a purveyor of public supplies, be, and the same is hereby repealed; and in the mean time, the purveyor shall deliver over to the commissary general or one of his deputies, the public stores and property of all sorts in his possession, who shall receipt to him for the same.

Sec. 10. *And be it further enacted*, That all letters and packets to and from the quarter master general and commissary general, shall be free from postage.

Sec. 11. *And be it further enacted*, That there be allowed for the compensation of the necessary clerks in the quarter master general's office, a sum not ex-

ceeding fifteen hundred dollars a year; and for the compensation of the clerks of the commissary general, a sum not exceeding seventeen hundred dollars per annum, with such books and stationery as may be necessary to the quarter master general's and commissary general's departments.

Sec. 12. *And be it further enacted*, That the quarter master general be authorized to appoint a principal waggon master, and as many waggon masters as he may judge necessary for the service of the army, not exceeding one to each brigade, whose duty shall be, under the direction of the quarter master general or any of his deputies, to provide and conduct the waggons and other means of transport necessary and proper for the military service of the United States.

Sec. 13. *And be it further enacted*, That no waggon master shall directly or indirectly be concerned or interested in any waggon, or means of transport employed in the service of the United States; nor in the purchase or sale of any horses, harness, waggons or other means of transport, procured for or belonging to the United States, except as agent for the United States.

Sec. 14. *And be it further enacted*, That the principal waggon master shall be entitled to receive forty dollars per month, three rations per day, and forage for one horse; and each waggon master shall be entitled to receive thirty dollars per month, two rations per day and forage for one horse.

Sec. 15. *And be it further enacted*, That the quarter master general be authorized to appoint one principal forage master, and as many assistant forage masters as the nature of the service may require, not exceeding one to each brigade, whose duty shall be, under the direction of the quarter master general or any of his deputies, to provide and deliver out forage, necessary and proper for the military service of the United States, nor shall any forage master be direct-

ly or indirectly concerned in the purchase or sale of any article of forage procured for or belonging to the United States, except as an agent for the United States.

Sec. 16. *And be it further enacted*, That the principal forage master shall be entitled to and receive forty dollars per month, three rations per day, and forage for two horses; and that the other forage masters shall be entitled to and receive thirty dollars per month, two rations per day, and forage for one horse.

Sec. 17. *And be it further enacted*, That there shall be four conductors of artillery, who shall be appointed by the President alone, each of whom shall be entitled to the pay and emoluments of a lieutenant of artillery.

Sec. 18. *And be it further enacted*, That this act shall go into operation on the first day of April next; and that so much of the act fixing the military peace establishment of the United States, as respects the appointment of military agents and assistant military agents, be, and the same is hereby repealed, from and after that day; but all those agents shall continue to perform their respective duties in the meantime, and until the deputy and assistant deputy quartermasters shall be appointed and ready to enter on the execution of their respective offices; to whom the said military agents and assistant military agents shall then deliver all the public stores and property in their possession.

Sec. 19. *And be it further enacted*, That all persons attached to the public service by virtue of this act, shall be subject to military law, except the deputy commissaries.

Sec. 20. *And be it further enacted*, That the President may and he hereby is authorized in the recess of the senate, to appoint the quartermaster general, deputy quartermasters, commissary general and deputy commissaries, or any of them; which appoint-

ments shall be submitted to the senate at their next session, for their advice and consent.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate, pro tempore.

March 28, 1812. APPROVED, JAMES MADISON.

An ACT in addition to the Act, entitled "An Act to raise an additional Military Force," passed January 11, 1812.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he hereby is empowered to cause to be enlisted for the term of eighteen months, unless sooner discharged, such part of the light dragoons, artillery and infantry, authorized by the act, entitled "an act to raise an additional military force," as he may deem expedient: *Provided*, the whole number so to be enlisted for eighteen months, shall not exceed fifteen thousand, any thing in the said recited act to the contrary notwithstanding.

Sec. 2. *And be it further enacted,* That the non-commissioned officers, musicians and privates, so to be enlisted, shall be entitled to the bounty of sixteen dollars, and the same pay, clothing and rations, the same provisions for wounds or disabilities, and to all other allowances, (the bounty in land excepted) provided by the said before recited act for the non-commissioned officers, musicians and privates, who may be raised under the same; and shall be held to perform the same duties, and be subject to the same rules and regulations.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore,

April 8, 1812. APPROVED, JAMES MADISON.

An ACT for the Organization of a Corps of Artificers.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be attached to the quarter master general's department and subject to the orders of the officers thereof, a corps of artificers, to consist of one superintendent, to be appointed by the President of the United States, four assistants, two master masons, two master carpenters, two master blacksmiths, two master boat builders, two master armorers, two master saddle and harness makers, twenty house carpenters, five ship carpenters, twenty blacksmiths, sixteen boat builders, sixteen armorers, twelve saddle and harness makers and twenty-four laborers, to be selected from the privates of the army, when authorized thereto by the commanding general, or engaged from among the citizens by the superintendent.

Sec. 2. *And be it further enacted,* That the pay of the superintendent of artificers shall be forty-five dollars per month, three rations per day, and forage for one horse ; that the pay of the four assistants be each thirty dollars per month and two rations per day ; that the pay of the twelve master workmen be each thirty dollars per month and one ration and one half of a ration per day ; that the pay of the other workmen be each sixteen dollars per month and one ration and one half of a ration per day.

Sec. 3. *And be it further enacted,* That it shall be the duty of the superintendent of artificers to render a correct report, once each month, of the corps to the quarter master general, and on oath to make out the pay-roll thereof ; which pay-roll shall be examined by the quarter master general, or, in his absence, by one of the deputy quarter masters, and by him be countersigned, and faithfully and without delay to execute all such orders as he may receive from the secretary at war, any officer of the quarter master's department,

or from the officer commanding in the field or garrison to which his corps or any part thereof may be attached.

Sec. 4. *And be it further enacted*, That this corps shall be engaged for and during the term of three years, unless sooner discharged by the President of the United States.

Sec. 5. *And be it further enacted*, That for defraying the expense that may be incurred in the execution of this act, the sum of thirty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

April 23, 1812.

APPROVED,

JAMES MADISON.

An ACT making further Provision for the Corps of Engineers.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be added to the corps of engineers, two captains, two first lieutenants, two second lieutenants, with the usual pay and emoluments, according to their grades respectively; and one pay master, to be taken from the subalterns of engineers, with the pay and emoluments of a regimental pay master; and that there be attached to the said corps, either from the troops now in service, or by new enlistments, as the President of the United States may direct, four sergeants, four corporals, one teacher of music, four musicians, nineteen artificers and sixty-two men, which non-commissioned officers, musicians, artificers and men, together with the artificers and men already belonging to the corps of engineers, shall be formed into a company, to be styled a company of bombardiers, sappers and miners, and be of-

ficered from the corps of engineers, according as the commanding officer of that corps may, with the approbation of the President of the United States, direct; and the said non-commissioned officers, musicians, artificers and men, shall be allowed the same pay and emoluments as are allowed to the non-commissioned officers, musicians, artificers and men in the regiment of artillerists.

Sec. 2. *And be it further enacted*, That the military academy shall consist of the corps of engineers, and the following professors, in addition to the teachers of the French language and drawing already provided, viz : one professor of natural and experimental philosophy, with the pay and emoluments of a lieutenant colonel, if not an officer of the corps, and if taken from the corps, then so much in addition to his pay and emoluments as shall equal those of a lieutenant colonel; one professor of mathematics, with the pay and emoluments of a major, if not an officer of the corps, and if taken from the corps, then so much in addition to his pay and emoluments, as shall equal those of a major; one professor of the art of engineering in all its branches, with the pay and emoluments of a major, if not an officer of the corps, and if taken from the corps, then so much in addition to his pay and emoluments as shall be equal to those of a major; each of the foregoing professors to have an assistant professor, which assistant professor shall be taken from the most prominent characters of the officers or cadets, and receive the pay and emoluments of captains, and no other pay or emoluments while performing these duties; *Provided*, That nothing herein contained shall entitle the academical staff, as such, to any command in the army separate from the academy.

Sec. 3. *And be it further enacted*, That the cadets heretofore appointed in the service of the United States, whether of artillery, cavalry, riflemen or infantry, or that may in future be appointed as hereinafter

after provided, shall at no time exceed two hundred and fifty; that they may be attached, at the discretion of the President of the United States, as students to the military academy, and be subject to the established regulations thereof; that they shall be arranged into companies of non-commissioned officers and privates, according to the directions of the commandant of engineers, and be officered from the said corps, for the purposes of military instruction; that there shall be added to each company of cadets four musicians; and the said corps shall be trained and taught all the duties of a private, non-commissioned officer and officer; be encamped at least three months of each year, and taught all the duties incident to a regular camp; that the candidates for cadets be not under the age of fourteen, nor above the age of twenty-one years; that each cadet, previously to his appointment by the President of the United States, shall be well versed in reading, writing and arithmetic, and that he shall sign articles, with the consent of his parent or guardian, by which he shall engage to serve five years unless sooner discharged; and all such cadets shall be entitled to and receive the pay and emoluments now allowed by law to cadets in the corps of engineers.

Sec. 4. *And be it further enacted*, That when any cadet shall receive a regular degree from the academical staff, after going through all the classes, he shall be considered as among the candidates for a commission in any corps, according to the duties he may be adjudged competent to perform; and in case there shall not at the time be a vacancy in such corps, he may be attached to it at the discretion of the President of the United States, by brevet of the lowest grade, as a supernumerary officer, with the usual pay and emoluments of such grade, until a vacancy shall happen: *Provided*, That there shall not be more than one supernumerary officer to any one company at the same time.

Sec. 5. *And be it further enacted*, That the sum of twenty-five thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for erecting buildings, and for providing an apparatus, a library and all necessary implements, and for such contingent expenses as may be necessary and proper, in the judgment of the President of the United States, for such an institution.

Sec. 6. *And be it further enacted*, That so much of the twenty-sixth section of the act, entitled, "An act fixing the military peace establishment," passed the sixteenth March, one thousand eight hundred and two, as confines the selection of the commander of the corps of engineers to the said corps, be, and the same is hereby repealed.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

April 29, 1812.

APPROVED,

JAMES MADISON.

An ACT for the better Regulation of the Ordnance.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be and hereby is established an ordnance department, to consist of a commissary general of ordnance, an assistant commissary general, four deputy commissaries, and as many assistant deputy commissaries as the President of the United States may think necessary, not exceeding eight.

Sec. 2. *And be it further enacted*, That the commissary general be authorized from time to time to employ as many wheelwrights, carriage makers, blacksmiths and laborers as the public service may in his judgment require.

Sec. 3. *And be it further enacted*, That the com,

missary general of ordnance shall be entitled to the rank, pay and emoluments of a colonel of infantry, and be further allowed at the rate of five hundred dollars per year, and four rations per day for clerks in his department; the assistant commissary general of ordnance shall be entitled to the rank, pay and emoluments of a major of infantry, with three additional rations per day; the deputy commissaries of ordnance shall be entitled to the rank, pay and emoluments of a captain of infantry, with two additional rations per day, and forage for one horse; the assistant deputies shall have the rank, pay and emoluments of a second lieutenant of infantry, with one additional ration per day.

Sec. 4. *And be it further enacted*, That a master wheelwright and carriage maker, and a master blacksmith, be allowed thirty dollars each, per month, and one ration and one half of a ration per day: that any other wheelwrights, carriage makers and blacksmiths, be allowed each sixteen dollars per month, and one ration and one half of a ration per day; that the laborers each be allowed nine dollars per month and one ration per day.

Sec. 5. *And be it further enacted*, That it shall be the duty of the commissary general of ordnance to direct the inspection and proving of all pieces of ordnance, cannon balls, shells and shot, procured for the use of the army of the United States; and to direct the construction of all carriages and every apparatus for ordnance, for garrison and field service, and all ammunition waggons, pontoons and travelling forges; also, the direction of the laboratories, the inspection and proving the public powder, and the preparing all kinds of ammunition for garrison and field service; and shall, half yearly, examine all ordnance, carriages, ammunition and apparatus, in the respective fortresses, magazines and arsenals, and cause the same to be preserved and kept in good order.

Sec. 6. *And be it further enacted*, That the com-

missary general of ordnance shall execute all orders issued by the secretary for the department of war, in conveying all ordnance, ammunition and apparatus, to the respective armies, garrisons, magazines and arsenals ; and in time of war he shall execute all orders of any general officer, commanding in any army or garrison, for the supply of ordnance, ammunition, carriages, pontoons, forges, furnaces or apparatus, for garrison, field or siege service, and forward the same without delay and in good condition.

Sec. 7. *And be it further enacted*, That the commissary general of ordnance shall half yearly transmit to the department of war, a correct return of all ordnance, ammunition, military stores and effects, in the respective garrisons, arsenals, magazines, posts and camps, with a statement of their order, quality and condition ; and also what may be necessary to keep up an ample supply of each and every article, in the ordnance department, and shall, in all things, faithfully and without delay execute the orders of the secretary for the department of war touching the same.

Sec. 8. *And be it further enacted*, That the superintendents of military stores, keepers of magazines and arsenals, shall half yearly, make correct returns to the commissary general of ordnance of all military stores that they respectively have in charge ; and that the assistant commissary general of ordnance, the deputy commissaries and assistant deputies shall faithfully, and without delay, execute all orders that shall be issued by the secretary for the department of war, the commanding general, in time of war, of any corps, camp or garrison, or of the commissary general of ordnance, in their respective departments, by virtue of this act.

Sec. 9. *And be it further enacted*, That the commissary general of ordnance shall make a correct report of the artificers and laborers from time to time employed by him, and transmit the same to the adjutant general.

Sec. 10. *And be it further enacted*, That for defraying the expense that may be incurred in the execution of this act, the sum of twenty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

May 14, 1812.

APPROVED,

JAMES MADISON.

AN ACT *making further Provision for the Army of the United States.*

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he hereby is authorized and empowered to appoint so many district pay masters as, in his judgment, the service may require; and if such pay masters are taken from the line of the army, they shall respectively receive thirty dollars per month, in addition to their pay in the line: *Provided*, The same shall in no case exceed the pay and emoluments of a major; and if not taken from the line they shall receive the same pay and emoluments as a major of infantry.

Sec. 2. *And be it further enacted*, That the President of the United States be, and he hereby is authorized and empowered to appoint a pay master to each regiment on the peace establishment, who shall receive the same pay and emoluments as a captain of the regiment to which he belongs: *Provided*, That all district and regimental pay masters shall be subject to the rules and articles of war, and give such bonds to the United States as the secretary for the department of war may direct, for the faithful performance of their duties. And it shall be the duty of the commanding officer, when requested by the pay mas-

ter, to furnish a capable non-commissioned officer or soldier to aid him in the discharge of his duty, who, while so employed, shall receive double pay.

Sec. 3. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to appoint from the captains and subalterns of the line of the army, so many sub-inspectors as the service may require, not exceeding one to each brigade; and such sub-inspectors shall each receive twenty-four dollars per month, in addition to his pay in the line.

Sec. 4. *And be it further enacted*, That each brigade major, provided by law, shall be allowed twenty-four dollars per month, in addition to his pay in the line.

Sec. 5. *And be it further enacted*, That the general commanding the army of the United States shall be allowed a secretary, to be taken from the line of the army, who shall receive twenty-four dollars per month in addition to his pay in the line, and shall be allowed forage for two horses.

Sec. 6. *And be it further enacted*, That in addition to the non-commissioned officers and privates allowed to the regiment of light artillery, each company shall be entitled to twelve drivers of artillery, who shall be enlisted for five years, unless sooner discharged, and receive the same pay, rations and clothing, as the privates of the army: *Provided*, such drivers of artillery shall at all times be liable to do duty in the ranks when the company shall not be mounted.

Sec. 7. *And be it further enacted*, That so much of the "act for establishing rules and articles for the government of the armies of the United States," as authorizes the infliction of corporal punishment, by stripes or lashes, be and the same hereby is repealed.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore;

May 16, 1812.

APPROVED,

JAMES MADISON.

An ACT to amend an Act, entitled "An Act to establish a Quarter Master's Department, and for other Purposes."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That neither the quarter master general, the commissary general, nor any or either of their deputies or assistant deputies, shall be concerned, directly or indirectly, in the purchase or sale, for commercial purposes, of any article intended for making a part of, or appertaining to, their respective departments, except for and on account of the United States; nor shall they or either of them, take or apply to his or their own use any gain or emolument for negotiating or transacting any business in their respective departments, other than what is or may be allowed by law.

Sec. 2. *And be it further enacted,* That the quarter master general be, and he is hereby empowered to appoint one principal barrack master, and as many deputy barrack masters, as may from time to time be necessary, not exceeding one to each separate barrack or cantonment: which said principal barrack master shall be entitled to receive the same pay, rations and emoluments, as the principal forage master; and each of his deputies, the same pay, rations and emoluments as is by law allowed to a deputy forage master.

Sec. 3. *And be it further enacted,* That in addition to the allowance made to the quarter master general and commissary general respectively, in and by the act hereby amended, it shall and may be lawful for the secretary for the department of war, for the time being, to allow to them respectively such sums as in his opinion shall have been actually and necessarily expended in their several departments for office rent, fuel, candles and extra clerk hire.

Sec. 4. *And be it further enacted,* That the quarter master general, the deputy quarter masters, and

the assistant deputy quarter masters, shall, before they or either of them enter upon the duties of their appointment, respectively enter into bond, with sufficient security, to be approved of by the secretary of war, conditioned for the faithful expenditure of all public monies, and accounting for all public property which may come to their hands, respectively; and the quarter master general shall not be liable for any money or property that may come into the hands of the subordinate officers of his department.

Sec. 5. *And be it further enacted*, That the sixth section of the act hereby amended be, and the same is, hereby repealed.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

May 22, 1812.

APPROVED,

JAMES MADISON.

An ACT for the more perfect Organization of the Army of the United States.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the infantry of the army of the United States shall consist of twenty-five regiments, and that a regiment shall consist of one colonel, one lieutenant colonel, one major, one adjutant, one pay master, one quarter master, one surgeon, two surgeon's mates, one sergeant, two principal musicians, and ten companies.

Sec. 2. *And be it further enacted*, That each company shall consist of one captain, one lieutenant, one second lieutenant, one ensign, four sergeants, six corporals, two musicians, and ninety privates.

Sec. 3. *And be it further enacted*, That to the regiment of cavalry, authorized by the act passed January eleventh, one thousand eight hundred and

twelve, entitled "An act to raise an additional military force," there shall be added one riding master: and to the regiment of light dragoons, authorized by the act passed, April twelfth, one thousand eight hundred and eight, entitled "An act to raise, for a limited time an additional military force," one surgeon's mate.

Sec. 4. *And be it further enacted*, That each troop of cavalry or light dragoons shall consist of one captain, one first lieutenant, one second lieutenant, one cornet, four sergeants, six corporals, two musicians, one master of the sword, one saddler, one farrier, one blacksmith and sixty-four privates, and the pay and emolument of a master of the sword, shall be the same as those of a riding master, and the pay and emolument of a blacksmith shall be the same as those of a farrier.

Sec. 5. *And be it further enacted*, That the military establishment authorized by the law previous to the twelfth day of April one thousand eight hundred and eight, and the additional military force raised by virtue of the act of the twelfth of April one thousand eight hundred and eight, be and the same are hereby incorporated, and that from and after the passing of this act the promotions shall be made through the lines of artillerists, light artillery, dragoons, riflemen and infantry respectively, according to established rules.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

June 26, 1812.

APPROVED,

JAMES MADISON.

An ACT to provide for designating, surveying and granting the Military Bounty Lands.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United

States be, and he is hereby authorized to cause to be surveyed a quantity of the public lands of the United States, fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, not exceeding in the whole six millions of acres, two millions to be surveyed in the territory of Michigan, two millions in the Illinois territory, north of the Illinois river, two millions in the territory of Louisiana, between the river St. Francis, and the river Arkansas ; the said lands to be divided into townships, and subdivided into sections and quarter sections, (each quarter section to contain, as near as possible, one hundred and sixty acres) in the manner prescribed by law for surveying and subdividing the other public lands of the United States ; the same price to be allowed for surveying as is fixed for surveying the other public lands in the same territory. And the lands thus surveyed, with the exception of the salt springs and lead mines therein, and of the quantities of land adjacent thereto, as may be reserved for the use of the same by the President of the United States, and the section number sixteen in every township to be granted to the inhabitants of such township for the use of public schools, shall be set apart and reserved for the purpose of satisfying the bounties of one hundred and sixty acres, promised to the non-commissioned officers and soldiers of the United States, their heirs and legal representatives, by the act, entitled " An act for completing the existing military establishment," approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act, entitled " An act to raise an additional military force," approved the eleventh day of January, one thousand eight hundred and twelve.

Sec. 2. *And be it further enacted*, That the secretary for the department of war, for the time being, shall, from time to time, issue warrants for the military land bounties to the persons entitled thereto by the two last mentioned acts, or either of them : *Pro-*

vided always, That such warrants shall be issued only in the names of the persons thus entitled, and be by them or their representatives applied for within five years after the said persons shall have become entitled thereto; and the said warrants shall not be assignable or transferable in any manner whatever.

Sec. 3. *And be it further enacted,* That every person in whose favor such warrants shall have been issued, shall, on delivery of the same at the office of the secretary of the treasury, or of such other officer as may at the time have, by law, the superintendence of the general land office of the United States at the seat of government, be entitled to draw by lot in such manner as the officer, at the head of the land office, under the direction of the President of the United States, may prescribe, one of the quarter sections surveyed by virtue of the first section of this act, in either of the said territories which the person in whose favor such warrant has issued may designate. And a patent shall thereupon be granted to such person, for such quarter section, without requiring any fee therefor.

Sec. 4. *And be it further enacted,* That no claim for the military land bounties aforesaid shall be assignable or transferable in any manner whatever, until after a patent shall have been granted in the manner aforesaid. All sales, mortgages, contracts or agreements, of any nature whatever, made prior thereto, for the purpose, or with intent of alienating, pledging or mortgaging any such claim, are hereby declared and shall be held null and void; nor shall any tract of land, granted as aforesaid, be liable to be taken in execution or sold on account of any such sale, mortgage, contract or agreement, or on account of any debt contracted prior to the date of the patent, either by the person originally entitled to the land or by his heirs or legal representatives, or by virtue of any process, or suit at law, or judgment of court

against a person entitled to receive his patent as aforesaid.

H. CLAY,
Speaker of the House of Representatives.

WM. H. CRAWFORD,
President of the Senate pro tempore.

May 6, 1812.

APPROVED,

JAMES MADISON.

An ACT making further Provision for the Army of the United States, and for other Purposes.

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the senate, to appoint two brigadier generals, in addition to those already authorized by law, who shall each be entitled to the same number of aids and brigade majors, as are allowed to a brigadier general under the act of congress passed the eleventh of January, one thousand eight hundred and twelve. And the said brigadier generals, aids and brigade majors, shall be entitled to the same pay and emoluments as are by law allowed to officers of the same grade.

Sec. 2. And be it further enacted, That to any army of the United States, other than that in which the adjutant general, inspector general, quarter master general and pay master of the army shall serve, it shall be lawful for the President to appoint one deputy adjutant general, one deputy inspector general, one deputy quarter master general, and one deputy paymaster general, who shall be taken from the line of the army, and who shall each, in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be to each of the foregoing deputies such number of assistant deputies, (not exceeding three to each department) as the public

service may require, who shall in like manner be taken from the line, and who shall each be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services : *And provided also*, That the President of the United States be, and he is hereby authorized to appoint any of the officers named in this act during the recess of the Senate, to be submitted to the Senate at their next meeting for their advice and consent.

Sec. 3. *And be it further enacted*, That all letters and packages, to and from the adjutant general and inspector general, shall be free from postage.

Sec. 4. *And be it further enacted*, That the President is hereby authorized to confer brevet rank on such officers of the army as shall distinguish themselves by gallant actions or meritorious conduct, or who shall have served ten years in any one grade : *Provided*, That nothing herein contained, shall be so construed, as to entitle officers so brevetted, to any additional pay or emoluments, except when commanding separate posts, districts or detachments, when they shall be entitled to, and receive the same pay and emoluments to which officers of the same grades are now, or hereafter may be allowed by law.

Sec. 5. *And be it further enacted*, That the officers who shall not take waiters from the line of the army, shall receive the pay, clothing and subsistence allowed to a private soldier, for as many waiters as they may actually keep, not exceeding the number allowed by existing regulations.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

July 6, 1812.

APPROVED,

JAMES MADISON.

An ACT respecting the Pay of the Army of the United States.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers, non-commissioned officers, musicians, and privates of the army of the United States, shall receive the same pay, forage, rations, clothing and other emoluments, as the officers of the same grade and corps, non-commissioned officers, musicians and privates are entitled to by the act, entitled "An act to raise for a limited time an additional military force," passed April twelfth, one thousand eight hundred and eight; and to the aid de camp of a brigadier, to a brigade quarter master, brigade inspector and adjutant, there shall be allowed forage for one horse only, or in lieu thereof ten dollars per month; and to the brigade majors under the act passed January the eleventh, one thousand eight hundred and twelve, there shall be allowed forage for one horse, or in lieu thereof ten dollars per month; and the pay of a quarter master sergeant, shall be nine dollars per month.*

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

July 6, 1812.

APPROVED,

JAMES MADISON.

An ACT supplementary to "An act authorizing the President of the United States to raise certain Companies of Rangers for the protection of the Frontier of the United States."

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to raise an additional company of rangers, when he may deem it*

necessary for the public service, and on the same provisions, conditions and restrictions of the act to which this is a supplement.

Sec. 2. *And be it further enacted*, That for defraying the expenses thereof, the sum of eleven thousand two hundred and fifty dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

July 1, 1812.

APPROVED,

JAMES MADISON.

An ACT supplementary to the Act, entitled "An Act authorizing the President of the United States to accept and organize a Volunteer Military Corps.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in all cases where volunteers have offered or hereafter shall offer their services to the United States, under the act, entitled "An act authorizing the President of the United States to accept and organize certain volunteer military corps," it shall be lawful for the President of the United States to appoint and commission officers thereto, by and with the consent of the Senate, any thing in the act to the contrary notwithstanding: *Provided*, That prior to the issuing of such commissions, the volunteers aforesaid shall have signed an enrolment, binding themselves to service conformably to the provisions of the act to which this is a supplement.

Sec. 2. *And be it further enacted*, That the President be and he is hereby authorized to form the corps of volunteers into battalions, squadrons, regiments, brigades and divisions, and to appoint thereto, by and with the consent of the Senate, general, field and

staff officers, conformably with the military establishment of the United States, and who shall be entitled to the pay and emoluments of officers of a similar grade and corps in the army of the United States.

Sec. 3. *And be it further enacted*, That it shall be lawful for the President of the United States in the recess of the Senate to appoint all the officers authorized by this act, which appointments shall be submitted to the Senate at their next session, for their advice and consent.

Sec. 4. *And be it further enacted*, That in case the volunteers, when their term of service shall have expired, shall deliver their stand of arms and accoutrements, in good order, to the proper officer, they shall be entitled to receive in lieu thereof, ten dollars for every stand of arms so delivered.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

July 6, 1812. APPROVED, JAMES MADISON.

An ACT to regulate the Pay of the Non-Commissioned Officers, Musicians and Privates of the Militia of the United States, when called into actual Service, and for other Purposes.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passing of this act, the allowance of bounty, clothing and pay to the non-commissioned officers, musicians and privates of the infantry, artillery and cavalry of the militia of the United States, when called into actual service, shall be at the rate per month, as follows: Each sergeant major and quarter master sergeant, nine dollars; each drum and fife major, eight dollars, and thirty-three cents; each sergeant, eight dollars; each

corporal, drummer, fifer and trumpeter, seven dollars, and thirty-three cents; each farrier, saddler and artificer, (included as a private) eight dollars; each gunner, bombardier and private, six dollars, and sixty-six cents.

Sec. 2. *And be it further enacted*, That in addition to the monthly pay, there shall be allowed to each officer, non-commissioned officer, musician and private of the cavalry, for the use of his horse, arms and accoutrements, and for the risk thereof, except of horses killed in action, forty cents per day; and to each non-commissioned officer, musician and private, twenty-five cents, per day, in lieu of rations and forage, when they shall provide the same.

Sec. 3. *And be it further enacted*, That whenever the militia shall be called into the actual service of the United States, their pay shall be deemed to commence from the day of their appearing at the places of battalion, regimental or brigade rendezvous; allowing to each non-commissioned officer, musician and private soldier, a day's pay and rations for every fifteen miles from his home to such place of rendezvous, and the same allowance for travelling home from the place of discharge.

Sec. 4. *And be it further enacted*, That in addition to the pay heretofore authorized by law, there shall be allowed and paid to the non-commissioned officers, musicians and privates of the militia lately called forth into the actual service of the United States, on an expedition to Fort Pitt, such sums as shall, with the pay heretofore by law established, be equal to the allowances respectively provided in the first and second sections of this act. *Provided nevertheless*, That the compensations made by any state, to the militia called forth from such state, shall be deemed to be included in the additional allowance authorized by this act; and such state shall be entitled to receive from the treasury of the United States, such sums as they shall have paid, or allowed to the non-commis-

sioned officers, musicians and privates, over and above the pay heretofore allowed by law, and not exceeding the additional allowance granted by this act.

Sec. 5. *And be it further enacted*, That for the completing and better supporting the military establishment of the United States, as provided by the act, entitled, "An act making further and more effectual provision for the protection of the frontiers of the United States," there shall be allowed and paid, from and after the first day of January, one thousand seven hundred and ninety-five, to each non-commissioned officer, musician and private now in service, or hereafter to be enlisted, the additional pay of one dollar per month, during the terms of their respective enlistments; and to each soldier now in the service of the United States, or discharged therefrom, subsequent to the third day of March last, who shall re-enlist after the first day of January next, an additional bounty of eight dollars, making the entire bounty sixteen dollars; and to each person not now in the army of the United States, or discharged as above, who shall enlist after the said first day of January next, an additional bounty of six dollars, making the entire bounty fourteen dollars; but the payment of four dollars of each additional bounty hereby granted, shall be deferred, until the soldier enlisting shall join the regiment or corps, in which he is to serve.

Sec. 6. *And be it further enacted*, That to those in the military service of the United States, who are, or shall be employed on the western frontiers, there shall be allowed, during the time of their being so employed, two ounces of flour or bread and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt in addition to every hundred of their rations.

APPROVED, January the second, 1795 :

GEORGE WASHINGTON,

President of the United States.

An ACT to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions ; and to repeal the Act now in force for those Purposes.

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever the United States shall be invaded, or be in imminent danger of invasion from any foreign nation or Indian tribe, it shall be lawful for the President of the United States, to call forth such number of the militia of the state, or states, most convenient to the place of danger, or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose, to such officer or officers of the militia, as he shall think proper. And in case of an insurrection in any state, against the government thereof, it shall be lawful for the President of the United States, on application of the legislature of such state, or of the executive (when the legislature cannot be convened) to call forth such number of the militia of any other state or states, as may be applied for, as he may judge sufficient to suppress such insurrection.

Sec. 2. And be it further enacted, That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States, to call forth the militia of such state, or of any other state or states, as may be necessary to suppress such combinations, and to cause the laws to be duly executed ; and the use of militia so to be called forth, may be continued if necessary, until the expiration of thirty days after the commencement of the then next session of Congress

Sec. 3. Provided always, and be it further enacted That whenever it may be necessary, in the judgment of the President, to use the military force hereby di

rected to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably, to their respective abode, within a limited time.

Sec. 4. *And be it further enacted*, That the militia employed in the service of the United States, shall be subject to the same rules and articles of war, as the troops of the United States: And that no officer, non-commissioned officer, or private of the militia, shall be compelled to serve more than three months, after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able-bodied man of the same rank in the battalion to which he belongs.

Sec. 5. *And be it further enacted*, That every officer, non-commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States, in any of the cases before recited, shall forfeit a sum not exceeding one year's pay and not less than one month's pay, to be determined and adjudged by a court martial; and such officer shall, moreover, be liable to be cashiered by sentence of a court martial, and be incapacitated from holding a commission in the militia, for a term not exceeding twelve months, at the discretion of the said court: And such non-commissioned officers and privates shall be liable to be imprisoned, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month, for every five dollars of such fine.

Sec. 6. *And be it further enacted*, That courts martial for the trial of militia, shall be composed of militia officers only.

Sec. 7. *And be it further enacted*, That all fines to be assessed, as aforesaid, shall be certified by the presiding officer of the court martial, before whom the same shall be assessed, to the marshal of the district, in which the delinquent shall reside, or to one of his deputies, and also to the supervisor of the revenue of

the same district, who shall record the said certificate in a book to be kept for that purpose. The said marshal, or his deputy, shall forthwith proceed to levy the said fines with costs, by distress and sale of the goods and chattels of the delinquent; which costs and the manner of proceeding, with respect to the sale of the goods distrained, shall be agreeable to the laws of the state, in which the same shall be, in other cases of distress. And where any non-commissioned officer or private shall be adjudged to suffer imprisonment, there being no goods or chattels to be found, whereof to levy the said fines, the marshal of the district, or his deputy, may commit such delinquent to gaol, during the term, for which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner, as other persons condemned to fine and imprisonment, at the suit of the United States, may be committed.

Sec. 8. *And be it further enacted*, That the marshals and their deputies shall pay all such fines by them levied, to the supervisor of the revenue, in the district in which they are collected, within two months after they shall have received the same, deducting therefrom, five per centum, as a compensation for their trouble; and in case of failure, the same shall be recoverable by action of debt or information, in any court of the United States, of the district in which such fines shall be levied, having cognizance thereof, to be sued for, prosecuted, and recovered, in the name of the supervisor of the district, with interest and costs.

Sec. 9. *And be it further enacted*, That the marshals of the several districts, and their deputies, shall have the same powers in executing the laws of the United States, as sheriffs and their deputies, in the several states, have by law, in executing the laws of the respective states.

Sec. 10. *And be it further enacted*, That the act, entitled, "An act to provide for calling forth the mili-

tia, to execute the laws of the Union, suppress insurrections and repel invasions, passed the second day of May, one thousand seven hundred and ninety-two, shall be, and the same is hereby repealed.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

HENRY TAZEWELL, *President of the
Senate pro tempore.*

APPROVED, February the 28th, 1795 :

GEORGE WASHINGTON,
President of the United States.

*An ACT to authorize a Detachment from the Militia
of the United States.*

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to require of the executives of the several states and territories, to take effectual measures to organize, arm and equip, according to law, and hold in readiness to march at a moment's warning, their respective proportions of one hundred thousand militia, officers included, to be apportioned by the President of the United States, from the latest militia returns in the department of war; and in cases where such returns have not been made, by such other data as he shall judge equitable.

Sec. 2. *And be it further enacted,* That the detachment of militia aforesaid shall be officered out of the present militia officers, or others, at the option and discretion of the constitutional authority in the respective states and territories; the President of the United States apportioning the general officers among the respective states and territories, as he may deem proper; and the commissioned officers of the militia, when called into actual service, shall be entitled to the same pay, rations and emoluments as the officers of the army of the United States.

Sec. 3. *And be it further enacted*, That the said detachment shall not be compelled to serve a longer time than six months after they arrive at the place of rendezvous ; and during the time of their service the non-commissioned officers, musicians and privates shall be entitled to the same pay and rations as is provided by law for the militia of the United States when called into actual service.

Sec. 4. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to call into actual service any part or the whole of said detachment in all the exigencies provided by the constitution ; and the officers, non-commissioned officers, musicians and privates, of the said detachment, shall be subject to the penalties of the act, entitled " An act for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions, and to repeal the act now in force for those purposes," passed the 28th day of February, 1795 ; and if a part only of said detachment shall be called into actual service, they shall be taken from such part thereof as the President of the United States shall deem proper.

Sec. 5. *And be it further enacted*, That no non-commissioned officer, musician or private, belonging to the aforesaid detachment of militia, who shall be ordered into actual service by the President of the United States, shall be subject to corporal punishment, by whipping, any thing contained in any act to the contrary notwithstanding.

Sec. 6. *And be it further enacted*, That in lieu of whipping, as provided by several of the rules and articles of war, as now used, and practised stoppage of pay, confinement and deprivation of part of the rations, shall be substituted in such manner as is hereinafter provided.

Sec. 7. *And be it further enacted*, That any non-commissioned officer or private, belonging to the aforesaid detachment of militia, who shall, while in

actual service, be convicted before any court martial of any offence, which, before the passing of this act, might, or could have subjected such person to be whipped, shall, for the first offence be put under such stoppages of pay as such court martial shall adjudge, not exceeding the one half of one month's pay for any one offence ; but such offender may, moreover, at the discretion of such court martial, be confined under guard, on allowance of half rations, any length of time, not exceeding ten days for any one offence ; or may, at the discretion of such court martial, be publicly drummed out of the army.

Sec. 8. *And be it further enacted*, That the sum of one million of dollars be, and the same is hereby appropriated to be paid out of any monies in the treasury not otherwise appropriated, towards defraying any expense incurred by virtue of the provisions of this act.

Sec. 9. *And be it further enacted*, That this act shall continue and be in force for the term of two years from the passing thereof, and no longer.

April 10, 1812. APPROVED, JAMES MADISON.

Extract from the Militia Law of the State of New-York, passed March 29, 1808.

Sec. 68. *And be it further enacted*, That the commander in chief of this state may in case of invasion or other emergency, when he shall judge it necessary, order out any proportion of the militia of this state, to march to any part thereof and continue as long as he may think necessary, and may likewise in consequence of an application of the executive of any of the United States, of an invasion or an insurrection, or an apprehension of an invasion of such state, at his discretion, order any number of the militia not exceeding one third part thereof, to such state : *Provided*, That they be not compelled to continue on duty out of this state, more than forty days at any one time : that while in actual service in consequence of being so called out, they shall receive the same pay and rations and be subject to the same rules and regulations as the troops of the United States of America.

REGULATIONS.

THE President is pleased to direct, that the following regulations be observed in relation to waiters :

Major generals will be entitled to six waiters—brigadier generals four—colonels three—lieutenant colonels two—majors two—hospital surgeons two—and all other commissioned officers one each.

And whereas by an act of July 6th, 1812, it is provided “ That officers who shall not take waiters from the line of the army, shall receive the pay, clothing and subsistence allowed to a private soldier, for as many waiters as they shall actually keep, not exceeding the number allowed by existing regulations :” those officers who actually keep waiters not of the army, will be allowed to draw money in lieu of clothing and subsistence—the clothing will be estimated at the contract price, to be fixed by the commissary general; and subsistence will be estimated at twenty cents per ration, conformably to the act of April 12th, 1808.

The proper vouchers for officers claiming allowance under the foregoing provisions of this act, will be the certificate of the officer that he actually employed and kept in service the number of waiters charged, not of the army; and that he did not, during the term so charged, keep or employ as waiters or servants, soldiers from the line of the army.

Done at the War-Office of the United States, in the city of Washington, this 20th day of July, in the year of our Lord one thousand eight hundred and twelve.

(Signed)

W. EUSTIS.

Recruiting Instructions.

OFFICERS charged with the recruiting service of their respective regiments, will receive money for bounties and premiums, from the paymaster of the army ; and for contingent service, from the accountant of the war department : for all which they will give duplicate receipts.—Captains or principal officers recruiting for companies will receive money for bounties, premiums and contingencies from the officer commanding the regiment, for which they will give duplicate receipts, and be held accountable to the accountant of the department of war. They will also on the order of the commanding officer of the regiment receive from the proper officer, clothing, arms, accoutrements and camp equipage for their recruits, for which they will give the proper duplicate receipts, and be held accountable.

Each recruiting officer will transmit a statement of his accounts, monthly, to the commanding officer of the regiment, who will transmit the same with his own accounts to the accountant of the war department.

Officers recruiting for companies, will be held responsible for the good conduct of their recruits, and will transmit correct returns, weekly, to the commanding officer of the regiment.

Commanding officers of regiments will be held responsible for the good conduct, order and discipline of their corps, and will transmit, weekly returns to the adjutant general's office, shewing the strength and disposition of the regiment, the state of its discipline, and the alterations since last return.

Persons charged with the delivery of clothing, arms, accoutrements, ammunition, camp equipage, medicine and provisions, will furnish these articles respectively, on the order of commanding officers of regiments, when actually on the recruiting service.

When a recruiting officer shall send a party of recruits to the regiment, he will transmit to the com-

manding officer an exact statement of each man's account, as respects subsistence, clothing, bounty and pay, which will be entered in the books of the company.

Recruits are to be free from sore legs, scurvy, scalled head, ruptures, and other infirmities. The age is to be conformable to law ; but healthy, active boys, between fourteen and eighteen years of age, may be enlisted for musicians. In all cases where minors or apprentices are enlisted, the consent in writing, of the parent, master, or guardian, if any such there be, is to be obtained, and accompany the enlistment.

No objection is to be made to a recruit for want of size, provided he is strong, active, well made, and healthy.

As soon as convenient, and within six days at farthest, from the time of enlistment, every recruit shall be brought before a magistrate, and take and subscribe the oath required by law, according to the form prescribed.

All recruits are to be mustered by the officer commanding the regiment. When a recruit is rejected, his clothing, if delivered, and the bounty advanced to him, are to be returned ; for which the recruiting officer will be held accountable.

If any recruit who has received the bounty, or a part of it shall abscond, he is to be pursued and punished as a deserter.

Each officer who is engaged in the recruiting service, will procure the necessary transportation, forage, fuel, straw and stationary ; taking care to have his accounts therefor supported by proper vouchers.

Recruiting officers who have no enlisted musicians, are authorized to engage a drummer and fifer, at a sum not exceeding fifteen dollars per month, and one ration per day each.

No recruit can be discharged, except by an order from the secretary of war.

By Order of the Secretary of War,

Adjutant General's Office,

Washington City, 31st July, 1812.

T. H. CUSHING, *Adjutant General.*

Adjutant General's Office,

Washington City, 5th Sept. 1812.

The proceedings of general courts martial, which in time of peace are to be submitted to the President of the United States, before the same can be carried into execution, will during the continuance of the war, be laid before the general officer having the command of the department, within which such general courts martial may be held, for his confirmation or disapproval, and orders in the case, agreeably to the provisions of the 65th article of the act entitled "An act for establishing rules and articles for the government of the armies of the United States."

By Order of the Secretary of War,

T. H. CUSHING, *Adjutant General.*

Enlistment.

STATE OF

I born in aged years, feet
inches high, of complexion, eyes, hair,
and by profession a do hereby acknowledge to
have this day voluntarily enlisted as a soldier in the
army of the United States of America, for the period
of five years, [or eighteen months, *as the case may be*]
unless sooner discharged by proper authority : do al-

so agree to accept such bounty, pay, rations and clothing, as is or may be established by law. And I

do solemnly swear, that I will bear true faith and allegiance to the United States of America, and that I will serve them honestly and faithfully against their enemies or opposers whomsoever; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war.

Sworn and subscribed to, at this day of

181

Before

Receipt.

Received of of the United States army,
this day of 181 dollars, *in part*
of my bounty for enlisting into the army of the United
States for Signed duplicate receipts.

Dollars.

Witness.

Form of Enlistment for Volunteers.

We the subscribers do hereby volunteer and offer our services to the United States, under and pursuant to the act of congress, entitled "An act to authorize a detachment from the militia of the United States," passed the 10th day of April, 1812, and as a part of the detachment of thirteen thousand five hundred men, required by general orders of the commander in chief, bearing date the twenty-first day of April, 1812. In testimony whereof, we have hereunto subscribed our names, the day of 181

Names	Places of Residence	Occupation.	Rank	Witnesses	Remarks
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MILITARY BOOKS,

FOR SALE, AT

Websters & Skinnners' Bookstore, Albany.

REGULATIONS, for the Field Exercise, Manœuvres, and Conduct of the Infantry of the United States ; drawn up and adapted to the organization of the Militia and Regular Troops—By Col. ALEXANDER SMYTH, by order of the Secretary of War—With 34 explanatory plates—Price 4 dolls. full bound, 30s. in boards.

PRACTICAL INSTRUCTIONS for Military Officers ; comprehending a concise system of Military Geometry, Field Fortification and Tactics of Riflemen and Light Infantry. *Also*, the scheme for forming a corps of partisan, and carrying on the *Petite Guerre*, by Roger Stevenson, Esq. revised, corrected and enlarged. To which is annexed, a new MILITARY DICTIONARY ; containing the French words and other technical terms, now used in the art of war ; with other matter connected with military operations—Illustrated with plates, by E. HOYT, Brigade Major and Inspector in the Militia of Massachusetts—Price 28s.

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Brigade, Regimental, and Company Inspection RETURNS—Muster Rolls, Serjeant's Warrants, &c.

Recruiting Instructions.

ADJUTANT GENERAL'S OFFICE,

Washington City, 15 January, 1813.

The following recruiting districts are established within the state of New-York :

New-York, three districts ; the first to include that part of the state lying south of Poughkeepsie, principal rendezvous

The second to include all north of Poughkeepsie and east of Utica, principal rendezvous

The third to include the remaining part of the state, principal rendezvous Canandaigua.

Each district will be placed under the superintendence of a field officer, who will have deposited at the principal rendezvous a sufficient quantity of clothing, arms, accoutrements, ammunition, camp equipage, and medicine, for all the men to be recruited within the district. He will be furnished with money, for bounties and premiums by the paymaster of the army and for contingent service, by the War Department, and will employ every captain and subaltern within the district (not on other duty by order of a superior officer) on the recruiting service for the regiment to which such captains and subalterns may belong, and will supply them with money, clothing, &c. for this purpose, taking their duplicate receipts, holding them accountable to the accountant of the department of war ; and he will transmit to the said department a statement of his accounts weekly, showing the amount of money, clothing, &c. received and distributed, and the balance remaining on hand. He will be held strictly responsible for the good conduct, order and discipline of the corps within his district, and will transmit weekly returns to this office, showing the name, rank, regiment, and station of every officer, employed by him on the recruiting service, the strength of their parties and the alterations since last return ; and he will use every possible exertion to promote the said service, by visiting the different rendezvous within his district, and by directing his recruiting officers to places where they are known, or such as promise most success.— He will be furnished with a copy of the contract for

the territory included in his district, and will give due notice to the contractor or his agent, for supplying his parties with provisions, at such places within the district, as he may deem necessary. And that there may be no unnecessary delay in paying the recruits, agreeably to law, he will transmit regular sets of muster rolls of all the officers and men in his district, to the district or other paymaster, who will be instructed to make the regular payments by the paymaster of the army.

Recruiting officers will receive money, clothing, &c. for their recruits, from the commanding officer of the district, for which they will give the proper duplicate receipts, and be held accountable. They will transmit to him a statement of their accounts weekly, showing the amount of money, clothing, &c. received and distributed, and the balance remaining on hand ; a duplicate of which they will transmit to the War Department. They will be held responsible for the good conduct of their recruits, and will transmit correct returns weekly, to the commanding officer of the district and to this office.

The commissary general of purchases will cause to be deposited, at the principal rendezvous in each district, subject to the orders of the field officer, a sufficient quantity of clothing, arms, accoutrements, ammunition, camp equipage and medicine, for the number of men to be recruited therein ; and that there shall at no time be a deficiency of any of these articles, the field officer will give due notice to the commissary general of the articles received, delivered, and on hand, and at what time a further supply will be necessary.

When a recruiting officer shall send a party of recruits to the principal rendezvous he will transmit to the commanding officer an exact statement of each man's account, as respects clothing, subsistence, bounty and pay ; and a like statement must accompany every man sent to the regiment, to be entered in the books of the company for which he enlisted.

Recruits are to be free from sore legs, scurvy, scalled head, ruptures, and other infirmities. The age is to be conformable to law, but healthy active

boys, between fourteen and eighteen years of age, may be enlisted for musicians. In all cases where minors or apprentices are enlisted, the consent in writing of the parent, guardian, or master, if any such there be, is to be obtained, and accompany the enlistment.

No objection is to be made to a recruit for want of size, provided he is strong, active, well made, and healthy.

As soon as convenient, and within six days at farthest from the time of his enlistment, every recruit shall be brought before a magistrate, and take and subscribe the oath required by law, according to the form prescribed.

When a recruit is rejected, his clothing, if delivered, and the bounty advanced to him, shall be returned, for which the recruiting officer will be held accountable.

If any recruit, after having received the bounty, or a part of it, shall abscond, he is to be pursued and punished as a deserter.

Every officer engaged in the recruiting service will procure the necessary transportation, forage, fuel, straw, and stationary, taking care to have his accounts therefor supported by proper vouchers.

Recruiting officers having no enlisted musicians, are authorized to engage a drummer and fifer, at a sum not exceeding fifteen dollars per month, and one ration per day each.

By order of the Secretary of War.

T. H. CUSHING, *Adjutant General.*

(Duplicate.)

ADJUTANT GENERAL'S OFFICE,

SIR,

Washington City, 15 January, 1813.

It has been deemed necessary to divide the United States, and the territories thereof, into recruiting districts, under the superintendence of field officers, conformably to which arrangement, you have been appointed to superintend the district composed of that part of the state of New-York termed in the recruiting instructions the third, and will take the immediate direction of the recruiting service within the same.

Enclosed I have the honor to furnish you with a copy of the articles of war, military laws and regulations of the War Department, twenty copies of recruiting instructions, two blank weekly recruiting returns, for districts, and twenty for recruiting officers; also a copy of the contract for the territory comprehended within your limits.

The recruiting instructions point out the extent of territory under your superintendence, the place at which you will fix your principal rendezvous, the manner in which all your wants are to be supplied, and your duties generally while employed on this service.

The officers within your district will be ordered to report themselves to you, at the principal rendezvous, without delay; but as far as your knowledge of such officers and their residence may extend, you will order them into service, without waiting for their report.

It is expected that you will exercise the utmost correctness and punctuality, in making out and transmitting your statements and returns; and that you will exact a like observance of the instructions on this head from the officers under your command; that you will be particular in forwarding your requisitions for whatever you may find necessary, in due season, so as never to permit the recruiting service to be embarrassed for want of the necessary supplies; and in case it should so happen, that after having made such requisitions to the proper department, there should be a failure in the supplies of clothing, camp equipage, or medicine, you are hereby authorised to contract for, and purchase such quantity of each of these articles, as may be found necessary for immediate use; the expenditures for which, you will defray out of the contingent funds placed in your hands.

To each recruiting officer, you will furnish a copy of the recruiting instructions, the form of enlistment, and a blank weekly recruiting return; together with such further information as may be necessary for his government.

You will leave the recruits with the party, or collect them at the principal rendezvous, as you may deem most advantageous to the service; the parties,

however, ought never to be without a few handsome, well dressed men, who, from their appearance and activity, may be enabled to give a spirit to the recruiting business.

The commissary general of purchases, is directed to have deposited at the principal rendezvous, sufficient supplies of clothing, &c. for the number of men to be raised in your district, to wit, fifty light dragoons, one hundred artillery, and six hundred infantry, which you will have distributed among the different rendezvous in such manner as never to permit them to be in want, but on the contrary that every recruit may be put in complete uniform the moment he is enlisted.

I am instructed, by the Secretary of War, to add, that every officer employed on the recruiting service, who shall neglect to make and forward the returns, &c. required by the recruiting instructions, or fail to use all due industry in the discharge of the duties assigned him, will be struck from the rolls of the army.

I am, Sir, very respectfully, your obedient servant,
T. H. CUSHING, *Adj. Genl.*

In addition to the above instructions, which you will punctually observe, it is expected that you will exercise the utmost correctness and punctuality in making out and transmitting your statements and returns, not only of recruits, but of all the clothing, arms, accoutrements, and in short, every thing that you receive for the use of the recruits under your command. And if it shall so happen, that any officer employed on the recruiting service, shall neglect to make and forward the returns, &c. required by the recruiting instructions, or fail to use all due industry in the discharge of the duties assigned him, he will be struck from the rolls of the army.

It is absolutely necessary that you keep distinct and separate accounts under the head of Pay of the Army and Bounties and Premiums, the vouchers or receipts for its application must be kept separate and distinct.

You have already a form of a Receipt for bounties to recruits. The following is a form of a Receipt to be taken from the recruit for his advance of pay, which must accompany every enlistment :

option, to be made at the time of enlistment, engage to serve during the present war with Great Britain, instead of the term of five years, and shall in case he make such option, be entitled to the same bounty in money and land, and to all other allowances, and be subject to the same rules and regulations, as if he had enlisted for the term of five years.

APPROVED, Dec. 12, 1812. JAMES MADISON.

AN ACT *supplementary to the Act, entitled "An Act for the more perfect organization of the Army of the United States."*

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint one additional major to the first regiment of light dragoons, the regiment of light artillery, each regiment of infantry, and the rifle regiment, in the army of the United States, who shall receive the like pay, rations, forage, and other emoluments, as officers of the same grade and corps of the present military establishment.

Sec. 2. *And be it further enacted,* That there be appointed in manner aforesaid, one third lieutenant, to each troop or company, in the army of the United States, who, if of cavalry, or light dragoons, shall receive the monthly pay of thirty dollars, and of other corps, twenty-three dollars, and be allowed the same forage, rations and other emoluments as second lieutenants of the same corps to which they belong.

Sec. 3. *And be it further enacted,* That there be allowed to each troop or company, in the army of the United States, one additional sergeant, who shall receive the like pay, clothing, rations, and other emoluments, as sergeants of the present military establishment.

Sec. 4. *And be it further enacted,* That in order to complete the present military establishment to the full number authorized by law, with the greatest possible dispatch, there shall be paid to each effective able bodied man, who shall be duly enlisted into the service of the United States, after the first day of February next, to serve for the term of five years, or

during the war, an advance of twenty-four dollars on account of his pay, in addition to the existing bounty, one half of such advance to be paid at the enlistment of the recruit, and the other half when he shall be mustered, and have joined some military corps of the United States for service; and a bounty of one hundred and sixty acres of land, as heretofore established by law.

Sec. 5. And be it further enacted, That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive for every effective able bodied man, who shall be duly enlisted after the first day of February next, by them, for the term of five years, or during the war, and mustered, and between the ages of eighteen and forty-five years, the sum of four dollars: *Provided nevertheless,* That this regulation, so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also,* That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Sec. 6. And be it further enacted, That it shall be lawful for any person, during the time he may be performing a tour of militia duty, to enlist in the regular army of the United States; and the recruiting officers are hereby authorized to enlist any such person in the same manner, and under the same regulations, as if he were not performing such militia duty; and every person who shall enlist, while performing a tour of militia duty as aforesaid, shall be thereby exonerated from serving the remainder of said tour; and the state to which he may belong shall not be required to furnish any other person to serve in his stead. APPROVED, January 20, 1813.

JAMES MADISON.

An ACT in addition to the Act, entitled "An Act to raise an additional Military Force," and for other Purposes.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in addition to the present military establishment of the United States, there be raised such number of regiments of infantry, not exceeding twenty, as in the opinion of the President may be necessary for the public service, to be enlisted for the term of one year, unless sooner discharged.

Sec. 2. *And be it further enacted,* That each of the said regiments shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one pay master, one quarter master, one surgeon, two surgeons' mates, one sergeant major, one quarter master sergeant, two principal musicians, and ten companies.

Sec. 3. *And be it further enacted,* That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one ensign, five sergeants, six corporals, two musicians, and ninety privates.

Sec. 4. *And be it further enacted,* That it shall be lawful for the President of the United States in the recess of the senate to appoint such of the officers authorized by this act, as may not be appointed during the present session; which appointments shall be submitted to the senate at their next session for their advice and consent.

Sec. 5. *And be it further enacted,* That all the officers, non-commissioned officers, musicians and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments, (land and bounty excepted) as the officers of the same grade and corps, non-commissioned officers, musicians and privates, of the present military establishment.

Sec. 6. *And be it further enacted,* That the officers, non-commissioned officers, musicians and privates, of the regiments hereby authorized to be raised, shall be governed by the rules and articles of war, which have been established by the United States in congress assembled, or by such rules and articles as may be hereafter by law established.

Sec. 7. *And be it further enacted,* That the commissioned officers, who shall be employed in recruiting the force authorized by this act, shall be entitled to receive, for every person enlisted by them into this service, for the term specified, and approved by the commanding officers of the regiment, and between the ages of eighteen and forty-five years, the sum of two dollars. *Provided, nevertheless,* That this regulation, so far as respects the age of the recruit shall not extend to musicians, or to those soldiers

who may re-enlist into the service : *And provided also,* That no person under the age of twenty-one years shall be enlisted by an officer, or held in the service of the United States, without the consent in writing of his parent, guardian, or master, first had and obtained, if any he have ; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence, he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emolument of such officer.

Sec. 8. *And be it further enacted,* That there shall be allowed and paid to each man recruited as aforesaid, a bounty of sixteen dollars ; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered and have joined some military corps of the United States.

Sec. 9. *And be it further enacted,* That the said regiments shall be paid in such manner, that the arrears shall at no time exceed two months, unless the circumstance of the case render it unavoidable.

Sec. 10. *And be it further enacted,* That if any officer, non-commissioned officer, musician or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension and under such regulations as are or may be directed by law : *Provided always,* That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability half the monthly pay of such officer at the time of his being disabled or wounded ; and that no officer shall receive more than half pay of a lieutenant colonel : and that the rate of compensation to non-commissioned officers, musicians and privates, shall not exceed five dollars per month. *And provided also,* That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Sec. 11. *And be it further enacted,* That if any commissioned officer shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years ; but in the case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time

shall go to the child or children of such deceased officer. *Provided always*, That such half pay shall cease on the decease of such child or children.

Sec. 12. And be it further enacted, That if any non-commissioned officer, musician or private, shall desert from the service of the United States, he shall in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment ; and such soldier shall and may be tried by a court martial and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

Sec. 13. And be it further enacted, That every officer, non-commissioned officer, musician and private, shall take and subscribe the following oath or affirmation, to wit : " I, *A. B.* do solemnly swear or affirm (as the case may be) that I will bear true faith and allegiance to the United States of America ; and that I will serve them honestly and faithfully against their enemies or opposers whomsoever ; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war."

Sec. 14. And be it further enacted, That where any commissioned officer shall be obliged to incur any extra expense, in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

Sec. 15. And be it further enacted, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

Sec. 16. And be it further enacted, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

Sec. 17. And be it further enacted, That no field or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

Sec. 18. And be it further enacted, That the act, enti-

tled "An Act authorizing the President of the United States to accept and organize certain volunteer military corps," and the act supplementary to the act entitled, "An act authorizing the President of the United States to accept and organize certain volunteer military corps," be, and the same are hereby repealed, from and after the first day of February next: *Provided*, That nothing herein contained shall be so construed as to deprive the officers and men who may have entered the service as volunteers, under the said acts, of any rights, immunities, or privileges therein secured, or the United States of the services of such volunteers, agreeably to the provisions of the said acts.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate pro tempore.

January 29, 1813.

Approved,

JAMES MADISON.

An ACT making Provision for an additional Number of General Officers.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the president be, and he is hereby authorised by and with the advice and consent of the senate, to appoint six major generals, in addition to those already authorised by law; each of whom shall be allowed two aids de camp to be taken from the officers of the line, and six brigadier generals, who shall be allowed a brigade major, and one aid de camp, each to be taken also from the officers of the line.

Sec. 2. *And be it further enacted*, That the officers authorised by this act shall receive the same pay, forage, rations, and other emoluments, as the officers of the same grade of the present military establishment.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate, pro tempore.

February 24, 1813.

APPROVED,

JAMES MADISON.

An ACT to raise Ten additional Companies of Rangers,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, to raise ten additional com-

panies of rangers, on the same provisions, conditions and restrictions as those authorised to be raised by "An act authorising the President of the United States to raise certain companies of rangers for the protection of the frontiers of the United States," which said companies shall be in lieu of one of the regiments authorised to be raised by the act in addition to the act, entitled "An act to raise an additional military force, and for other purposes," passed the twenty-ninth day of January, one thousand eight hundred and thirteen.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate, pro tempore.

February 25, 1813.

APPROVED,

JAMES MADISON.

An ACT Supplementary to the Act, entitled "An Act to provide for calling forth the Militia to execute the Laws, suppress Insurrections, and repel Invasions," and to repeal the Act now in force for these Purposes, and to increase the Pay of Volunteer and Militia Corps.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in every case in which a court martial shall have adjudged and determined a fine against any officer, non-commissioned officer musician, or private, of the militia, for any of the causes specified in the act to which this act is a supplement, or in the fourth section of an act, entitled, "An act to authorize a detachment from the militia of the United States ;" all such fines so assessed shall be certified to the comptroller of the treasury of the United States, in the same manner as the act to which this is a supplement directed the same to be certified to the supervisor of the revenue.

Sec. 2. *And be it further enacted,* That the marshals shall pay all fines which have been levied and collected by them or their respective deputies, under the authorities of the acts herein referred to, into the treasury of the U. States, within two months after they shall have received the same, deducting five per centum for their own trouble ; and in case of failure, it shall be the duty of the comptroller of the treasury to give notice to the district attorney of the United States, who shall proceed against the said marshal in the district court by attachment for recovery of the same.

Sec. 3. *And be it further enacted,* That the commissioned officers, musicians and privates of the volunteer

and militia corps, who, subsequent to the thirty-first day of December, eighteen hundred and twelve, shall have been or may hereafter be called out, while in the service of the United States, shall, during the continuance of the present war between the United Kingdom of Great Britain and Ireland and the dependencies thereof and the United States of America, and their territories, be entitled to and receive the same monthly pay, rations and forage, and be furnished with the same camp equipage as are or may be provided by law for the non-commissioned officers, musicians and privates, of the army of the United States.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate, pro tempore.

February 2, 1813.

APPROVED,

JAMES MADISON.

An ACT for the better Organization of the General Staff of the Army of the United States.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the adjutant general's, inspector general's and quarter master general's departments shall consist of the following officers, that is to say : an adjutant and inspector general with the rank, pay and emoluments of a brigadier general, and not exceeding eight adjutants general, sixteen assistant adjutants general, eight topographical engineers, eight assistant topographical engineers, eight inspectors general, sixteen assistant inspectors general, eight quarter masters general, eight deputy quarter masters general, and thirty-two assistant deputy quarter masters general.

Sec. 2. *And be it further enacted,* That the president of the United States be and he is hereby authorised, if he shall deem it expedient, to assign one of the brigadiers general to the principal army of the United States who shall in such case act as adjutant and inspector general, and as chief of the staff of such army : and the quarter master general attached to the principal army shall as heretofore have the brevet rank and the pay and emoluments of a brigadier general.

Sec. 3. *And be it further enacted,* That all the other adjutants general shall have the brevet rank and the pay and emoluments of a colonel of cavalry ; all the other inspectors general and quarter masters general shall have the brevet rank and the pay and emoluments of a colonel of infantry ; the assistant adjutants general, assistant in-

spectors general, deputy quarter masters general and topographical engineers shall have the brevet rank and the pay and emoluments of a major of cavalry ; and the assistant topographical engineers, and assistant deputy quarter masters general shall have the brevet rank and the pay and emoluments of a captain of infantry.

Sec. 4. *And be it further enacted*, That the assistant adjutants general, the assistant inspectors general, and the assistant topographical engineers shall be taken from the line. The adjutants general, inspectors general, quarter masters general, deputy quarter masters general, topographical engineers and assistant deputy quarter masters general may be taken from the line or not as the president may deem expedient. And officers taken from the line and transferred to the staff shall receive only the pay and emoluments attached to the rank in the staff ; but their transfer shall be without prejudice to their rank and promotion in the line according to their said rank and seniority ; which promotion shall take place according to usage in the same manner as if they had not been thus transferred.

Sec. 5. *And be it further enacted*, That it shall be the duty of the secretary of the war department, and he is hereby authorised to prepare general regulations better defining and prescribing the respective duties and powers of the several officers in the adjutant general, inspector general, quarter master general and commissary of ordnance departments, of the topographical engineers, of the aids of generals, and generally of the general and regimental staff : which regulations when approved by the president of the United States shall be respected and obeyed until altered or revoked by the same authority. And the said general regulations thus approved, shall be laid before congress at their next session.

Sec. 6. *And be it further enacted*, That the number of assistant deputy commissaries of ordnance shall not exceed sixteen, and that they shall respectively be entitled to the brevet rank and to the pay and emoluments of a first lieutenant of infantry.

Sec. 7. *And be it further enacted*, That for the better superintendence and management of the hospital and medical establishments of the army of the United States, there shall be a physician and surgeon general, with an annual salary of two thousand five hundred dollars, and an apothecary general, with an annual salary of eighteen hundred dollars ; whose respective duties and powers shall be prescribed by the president of the United States.

Sec. 8. *And be it further enacted*, That the forage, wagon, and barrack masters shall be appointed as here-

tofore; but each quarter master general attached to any separate army, command or district shall be authorised, with the approbation and under the direction of the secretary of the war department, to appoint as many such officers and to employ as many artificers, mechanics and laborers, as the public service may require.

Sec. 9. *And be it further enacted*, That the assistant deputy quarter masters general may be appointed, and officers taken from the line, and transferred to the staff, may be thus transferred by the President of the United States alone. But all other new appointments authorised by this act shall be made by the President of the United States, with the advice and consent of the senate: *Provided*, That during the recess of the senate such appointments may be made by the President alone, in which case the same shall be laid before the senate at their next session for their advice and consent.

Sec. 10. *And be it further enacted*, That every act, and every part of any act of congress now in force, within the purview and meaning of this act, be and the same are hereby repealed.

Sec. 11. *And be it further enacted*, That all letters and packets to and from the adjutant and inspector general, adjutants general, inspectors general, quarter masters general, commissary general of ordnance, physician and surgeon general and apothecary general, which relate to their official duties, shall be free from postage.

Sec. 12. *And be it further enacted*, That the President of the United States be and he is hereby authorised to appoint any of the officers authorised by an act, entitled "An act making provision for an additional number of general officers," passed the twenty-fifth day of February, one thousand eight hundred and thirteen, during the recess of the senate, to be submitted to the senate at their next session for their advice and consent; and that no officer appointed, or who may be appointed, by virtue of the aforesaid act, shall be entitled to receive any pay or emolument, until he shall be called into actual service, nor for any longer time than he shall be continued therein.

H. CLAY,

Speaker of the House of Representatives

WM. H. CRAWFORD,

President of the Senate pro tempore

March 3, 1813.

APPROVED,

JAMES MADISON.







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